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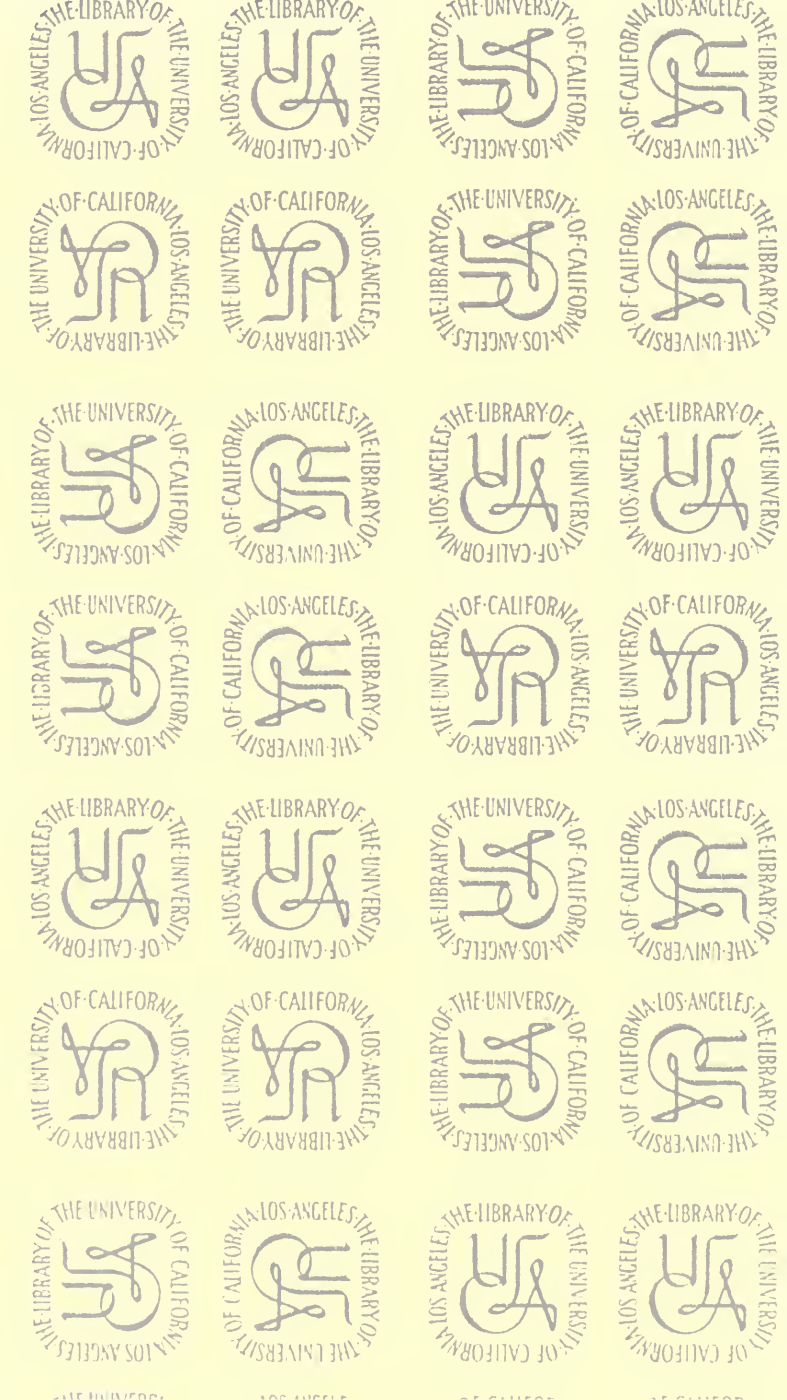
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BY THE AUTHOR OF

PLAIN FACTS,

OR A

REVIEW OF THE CONDUCT OF THE LATE MINISTERS.

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THE

CRISIS.

THE Continent having been subdued, less however by the arms of its oppressor than by the folly and corruption of its governments, and the pusillanimity or indifference of its people, it becomes a question of the highest moment to the welfare and safety of this empire, speedily to determine on the mode of policy which it is expedient to adopt, in consequence of this melancholy alteration in human affairs.

The causes of those complicated and unparalleled misfortunes which have befallen most of the European states, and have placed them entirely at the disposal of a vindictive and merciless despot, are sufficiently apparent. They may be plainly traced in their own acts; in the irrational

jealousies by which they have been domineered, and the unmanly fears by which they have been appalled.

Buonaparte's uninterrupted success throughout his marvellous career, has induced him, on all occasions, to confide in its stability, and has seemed to justify in him a departure from those prudential maxims, which in other men would have been deemed a desperation approaching to insanity. After the disastrous issue of the campaign in 1805; after the dreadful examples which had in all quarters been exhibited; it was not to be conceived that human nature could be so besotted, so sunk in lethargic slumber, so regardless of the ease and comfort and dignity of social independence, as to shrink from combining in one great and magnanimous effort, to rescue whatever is honorable or desirable in life from the misery and disgrace of a foreign yoke.

Buonaparte's easy conquest, in the following year, of the military (does it deserve that name?) strength of Prussia; the rapidity

of its total dispersion, added to the eagerness with which all the strong posts and fortresses of that once potent and warlike monarchy were betrayed into his possession, so elated his hopes, and bewildered his judgment, that he spurned every consideration on which the retention of conquest, or even the insurance of his political existence seemed to depend. By his victory at Auerstadt and his subsequent triumphal entry into the Prussian metropolis, he had, one should have thought, accomplished enough to satisfy the feelings both of pride and revenge over a humiliated and impotent foe. The king of Prussia was completely disarmed, and would gladly have submitted to any terms short of total annihilation, which the conqueror chose to dictate.

But this did not correspond with the amplitude of Buonaparte's projects. The king of Prussia had still provinces to flee to; the Saxons were willing to separate themselves from the confederacy; the Russians had provoked his anger; and the Poles were again to be revolutionised, in order to make a provision for some branch

of his upstart family. These were the powerful motives, which, in defiance of all caution, stimulated him still to advance, and once more to risk the probability of being utterly undone.

Mankind is so apt to reason from results, to be dazzled by the glare of prosperity, and to call that wise which turns out to be successful, that it is scarcely possible to prevail on them to contemplate, with any portion of sober reflection, events such as have lately arisen. It must nevertheless be observed, and indeed at the time it was universally admitted, that Buonaparte's presumptuous imprudence implicated him, for several months, in a position which was full of difficulty and hazard. He was in a most embarrassing and precarious dilemma. From his domestic resources he was separated near a thousand miles; he was surrounded by states, which had been delivered up to the devastations of his troops, and which, had he sustained any signal reverse, would instantly have been in arms against him; and he was opposed by an army which,

although inferior in numerical force, impelled by gallantry and directed by skill, maintained an equal conflict, and held him completely in check. His battalions which, for the last few years, had always been accustomed to advance, and in advancing, easily to surmount every obstacle as it presented itself, must have been somewhat mortified and dispirited at an interruption, which was not of an evanescent nature, to be removed by a temporary additional exertion, but which, during a long and active campaign, resisted the utmost efforts of the bravery of his troops and the tactics of his generals.

It does awaken most melancholy feelings, feelings verging towards despair, when we reflect what, at such a momentous period, an auxiliary force might have accomplished, and what, from the want of such an aid, has been irrecoverably lost. The Corsican chief, who, with his ruffian but organised hordes, had been for so many ye[illegible]he terror and the scourge of the [illegible]t portions of the civilized world; the [illegible]ges of whose destructive sword had

been felt in every branch of human industry, and in every recess of human enjoyment; who had subverted every civil institution, and dissolved every social tie; who had despised the prejudices, and trampled on the rights of mankind; who had dethroned kings, and exterminated people; who had mutilated the beauty and shaken even the constitution of nature; this man, the eternal curse and foe of his species, was, not merely for a day, not merely for a week, but for several months, so situated, that had there been a particle of vigour or generosity, or even of prudence or precaution, left in the Austrian councils, as far at least as moral reasoning can warrant an inference, might have been overthrown.

If the Russians and Prussians were of themselves sufficient to arrest Buonaparte's progress, and even to contend with him for victory in the field; if, in their numerous contests, each party claimed with equal pretension the ascendancy; if Buonaparte, instead of fulfilling his gasconading promises, was reduced to the miserable expe-

dient of subterfuge and falsehood, in order to suppress the truth of events, and to keep down the spirit of insurrection, which was every day threatening to break out in the north of Germany; it is very evident, that the accession of the military strength of Austria to that of the allied army, would have insured his total discomfiture. Unfortunately, however, Austria bore a more rooted antipathy to Prussia than to France; and, in obedience to this malignant passion, generated in distant times, but which actual circumstances might have moderated, she secretly rejoiced at the total abasement with which her rival was menaced. The subjugation of Prussia was an event so palatable to her feelings, that she preferred incurring, in her turn, the risk of a similar fate, to any interposition, which, by the reinstatement of the House of Brandenburg, would not only have secured her own future independence, but might have recovered for her whatever has been severed from her empire, in all the disastrous wars which she has waged in the course of the last fifty years. Reduced and humbled as Prussia was, and suing on all sides for

aid, Austria might have negotiated on her own terms. She might, by the expulsion of Buonaparte from the old German empire, have restored, in its full splendour, the Germanic constitution, and for ever have consolidated her ascendancy and her fame.

But whilst Austria merits such bitter censure, I cannot help, at the same time, severely condemning the inexplicable remissness of our own Government. After what had happened in the course of the last two years, our reliance on the cordial co-operation of Austria could not have been very strong. That generous spirit which is kindled and cherished by the love of country, the thirst of glory, and the pride of independence, had, almost throughout the continent, completely evaporated. That holy fervour, which, in happier times, had impelled men cheerfully to endure every calamity rather than submit to the reproach of cowardice, had lost its inspiring influence; and they were either sunk in an indolence which rendered exertion the most intolerable of all evils,

or overwhelmed by a stupor which totally eclipsed both the mental and corporeal sight. Man was no longer what he had been, a being endowed with a quick apprehension of his interests, attached to his rights, resentful of injury, devoted to the government under which he lived, and to the community of which he was a member, and prepared to encounter every peril, and yield to every sacrifice, for the glory of his country, the defence of his property, or the protection of his family. All these fine sentiments were extinguished, and he had become a sort of brute inanimate lump of matter, alike incapable of receiving or communicating any useful or honourable impression. But even if human nature had not degenerated into this morbid state of degradation, and there had been some fair reason to hope that Austria would pursue that conduct which her interests so plainly prescribed, yet surely we ourselves were sufficiently concerned in the issue of the contest, to be induced to employ our own powerful means, and not to leave to accident what to a certainty we could secure.

For several years past, but more particularly since Buonaparte's unqualified usurpation, we have conducted the war on principles most palpably erroneous; and that force which, concentrated, might have been efficiently employed, has been either frittered away in the inanity of colonial expeditions, or has been cooped up in places, which, from their position, have deprived it of all possibility of active operation. But if this obvious mistake has been long persisted in, at no period was it pushed to such an extent, nor has it been productive of such mischievous consequences, as during the rule of the late administration. If ever there was a moment pregnant with important events; if ever there was a crisis on which the destiny of empires balanced, it occurred whilst they were entrusted with the direction of public affairs. Instead, however, of giving proofs of that enlightened judgment which can alone wisely plan, or vigorously execute, the whole of their time, which was not engaged in occupations that personally concerned them, was consumed in arrangements of domestic policy, which, without

inconvenience, might have been deferred, or in preparing and dispatching armaments which it would have been infinitely more judicious to have altogether omitted. Of what consequence was it, whether we possessed a fortress or a few miles of domain on the coast of South America; or whether we occupied Egypt with five thousand men; or whether we bombarded Constantinople with seven sail of the line? Our grand enemy was Buonaparte: our grand object was to rescue the continent from the grasp of his domination. Had we kept our troops collected in some convenient position at home, with an ample provision of transports ready to receive them at the moment their services were wanted, so as to have enabled us, a few weeks before or even after the battle of Eylau, to land forty or fifty thousand men in the rear of the allied armies, is there a military character in Europe, who will estimate at so low a rate the value of such a detachment of British soldiers, as to maintain that Buonaparte would not have been exposed to the risk of total destruction? This body of men occupying the left wing of the French army;

and being more than its match, would have enabled General Bennigsen, by contracting his line, to strengthen his centre and his left wing, and, by such a movement, to out-flank the centre and right-wing of his antagonist. Thus assisted, Dantzick would have been speedily relieved; and Buonaparte, once overpowered in the field, harassed and pressed on every side, would, in his retreat, have been assailed by such a host of additional foes, that had he effected his personal safety, which would have been very doubtful, he would have been so reduced in strength, and so blemished in reputation, that he never again could have become a formidable foe. Nor would the destruction of his army, had it been accomplished, have been the greatest benefit which Europe would have derived from such an event. What would have been of far greater consequence, that magic spell, which has, for so great a length of time, obscured and enchained all the faculties of human action, would have been at once dissolved, and human affairs, after such tedious and distant deviations from their regular course, would have reverted

to their former channels. All the false splendour which encircles Buonaparte's character would have instantly vanished, and he would have appeared in his native baseness, as abject in adversity, as in prosperity he has been haughty, cruel, and unjust. The satellites who have revolved with him in his rapid and destructive orbit, would with their primary planet have disappeared, and those who are now occupying thrones and principalities would have returned to the humble avocations, for which they are by birth and education and manners best fitted.

Had Buonaparte used his fortune with any degree of moderation, he might have been entitled, if not to the applause, at least to the gratitude of mankind. Had he made an *honest* use of it, and been as sedulous to restore, as he has been zealous to destroy, his memory would have been embalmed in the everlasting gratitude and veneration of his species. His friends exclaim, But why abuse him? Why call him by degrading names? Why not allow him at least that merit which no one in justice

can deny him? Nor am I at all inclined to refuse him what I conceive to be his due. I may differ with others about the measure, which, in many respects, must ever remain matter of judgment and opinion. Nor do I pretend to scrutinize into the hidden recesses of the human heart. I know that we cannot analize it like a mineral production; that we cannot assay it as we can a piece of gold; that we cannot accurately separate the dross from the finer particles, or estimate its value in carats and grains. Still there are visible moral effects by which its intrinsic worth may be calculated, and by these I judge. Am I then to be told that I injure the cause of virtue, when I designate vice by those epithets which best express its deformity? Am I to be told that I injure the cause of my country, by making my countrymen familiar with the character of its bitterest foe, and by holding up to their just abhorrence and indignation, a being who has added more to the sum of human affliction, than any other scourge that ever infested the earth? Is it only low wickedness, regulated by vulgar contrivances, and

limited to the casual destruction of a few obscure individuals, that is to be exposed to public execration; and is the mighty destroyer of nations and laws, of commerce and arts, of justice and religion, to retain his usurpation, and to pursue his profligate career, impervious to reproach? I may lament, I may dread, but am I bound to respect, that power which has been founded in violence and fraud, and which can only be preserved by the terrors and the havoc of military despotism? Am I bound to esteem, or venerate, or love, the members of an obscure and rapacious family merely because they have been sharers in the spoils of one great delinquent, who has invested them with the rights and property of others, and who, instead of denominating them by their legal names, and confining them to their proper stations, has decorated them with the noblest titles, and raised them to the most elevated offices? Am I bound to respect a court, where the sovereign is a usurper of mean extraction and profligate morals, and who is surrounded by courtiers as vulgar and as infamous as himself; where honour and virtue are equally scandalized,

and where a system of morals is exhibited, from which all decency or elegance or refinement is totally excluded; where there is nothing for honesty to approve, or for gentility to imitate; where the women have formerly followed the professions of milliners, players, opera-dancers, bawds and strumpets; and where the men have figured away in the equally respectable characters of shopmen, fiddlers, hair-dressers, low clerks, gamesters, and common swindlers? Am I to respect such things, because they have shouldered their superiors from their places, and, tricking themselves out in the frippery which many of them once sold, they impudently ape the manners of the antient and dignified classes of society? No! As long as I retain the birth-right of a Briton, and when that is gone I care little what else follows, never will I so scandalously prostitute my pen, or pervert and confound the terms of language. In this country we have still a free press, and wretched indeed would be the lot of mankind, if the arm of power could universally stifle the voice of truth, and if vice could always

extort from subdued humanity the panegyric to which virtue alone has a claim. I judge Buonaparte by the fairest of all criteria, the general tenor of his acts: I appreciate his merit by the inherent qualities which he displays: and as long as I am blessed with the faculty of speech, thinking as I do, that he is deserving of the bitterest execrations, I will never associate any thing honourable, or virtuous, or truly great, with his name.

It is a dreadful visitation on the corruptions of mankind, that a being so endowed, with passions and propensities which are everlastingly propelling him to the commission of acts destructive of all the most valuable blessings of life, should be in possession of a measure and escription of power, that enables him to carry his baneful resolves into such extensive execution. And the consideration of this power is rendered doubly mortifying and afflicting, when we reflect how easily and how effectually it might, at one period, have been resisted.

At the close of the late negotiations with France, which were conducted with so much affected courtesy and moderation, but with so little real skill, and which were even protracted long after the result was obvious to the dullest capacity, there was yet time to repair the mischief which had been so studiously disregarded, or so culpably sought. When Buonaparte quitted Paris to take the command of his armies against Prussia, secret intelligence, in which we have ever been so miserably deficient, was no longer of use. The determination which he had long privily made, was now publicly proclaimed; and it surely required no great depth of penetration to discover the progression of his plans. Was not this then the moment to combine our preparations, to organize our schemes, to collect our resources, and to be ready, with a powerful and commanding force, effectually to assist those, who, by becoming his enemies, were sure to become our allies? The only foe we had to dread was Buonaparte. Against him our whole strength ought consequently to have been directed. If we overcame him, every col-

lateral object was gained: if he prevailed, any advantages that we might gain in other quarters, could be of little avail. To what end then, on what principles of sound judgment or prudent policy, could we so inconsiderately engage in distant enterprizes from which, if we succeeded, we could derive no benefit equivalent to the expence, and which moreover, by seriously diminishing our strength at home, disabled us from effecting the attainment of all our hopes and speculations, which was the destruction of Buonaparte's continental authority? The fate of our expeditions to Egypt and Constantinople has been such as, from the preparations, was to be expected. By the former, many brave men have been uselessly sacrificed in occupying a district, which they, eventually, will be compelled to abandon: by the latter, the commercial world has been exposed to the loss of a lucrative branch of trade, and the country has been involved in a war with an old and faithful ally. Our expedition to South America, which was on a greater scale, has been pregnant with proportionably greater folly, and has had a propor-

tionably disastrous termination. Independently of the disgrace of failure, it has been attended with very extensive inconvenience and loss. The bravery of our soldiers was never more conspicuous, and, on that account, their slaughter is doubly to be deplored. Yet however creditable this expedition may have been to our national courage, it has certainly, in the estimation of mankind, plucked many a leaf from the wreath of our military skill. But it partook, in its origin, of those palpable defects with which every scheme concerted by the late administration so surprisingly abounded, and nothing but what has happened could have been calculated on by any well-informed and reflecting mind.

A free trade with the extensive continent of South America, was certainly an object of considerable political utility; and if, instead of aiming at conquest for ourselves, we had assisted in the emancipation of the oppressed inhabitants of those fertile regions from the Spanish yoke, the force required for the purpose would have been trifling, and the object would have

been permanently secured. But engaging in this expedition, in the view of extending our empire, the motive became a selfish one, and a determined resistance, on the part of the Spaniards, was instantly created. The affair presented itself to their optics in its natural point of view, and they only perceived in our success a change of masters, who, in addition to that rigorous exercise of empire which conquest implies, were surveyed with augmented jealousy and dread on the score of religious prejudices. Heretics would have been gladly received as deliverers; but as invaders, they were indignantly abhorred; and those advantages which, by a generous policy, we might have obtained, by our foolish ambition we have forfeited.

A blunder, still more ruinous in its consequences, was committed by the assemblage of a numerous army in Sicily, of whose services, from its position, we were totally deprived. That kind of infatuation which could have induced the late ministry, to immure in such a corner so powerful a force, it is impossible to ac-

count for. A measure, so replete with absurdity, betrays a degree of obstinacy or of ignorance, which in statesmen is altogether inexcusable, and has been the cause of disasters to this country, most mournful in their nature, and in their consequences irreparable. The moment is now passed at which Buonaparte might have been successfully attacked, nay at which he might, to a moral certainty, have been vanquished, nor is it likely speedily to recur. Their total misapplication of the resources of the empire, has, therefore, been accompanied with no trifling or ordinary mischief. It has diverged in every direction: it has been felt in every combination: it has injured the essential interests of the civilized globe: and it has inflicted a wound on the glory and prosperity of Great Britain, which all the skill of science or art may be incompetent to heal.

Having thus failed through the incapacity and mismanagement of our late leaders, both in policy and duty, our chief business now is to consider on the means left

to extricate ourselves (if it be still feasible) from those augmented difficulties and dangers in which we have been involved.

On all occasions of moment, success greatly depends on decisive and vigorous conduct. Under particular circumstances, celerity of action frequently accomplishes more than wisdom of deliberation. Promptitude of attack displays such an undoubted proof of energy of character, that it creates for itself advantages which, whilst they surmount difficulty, diminish danger. What the French have gained in the field, has been chiefly from the quickness of their movements. In every enterprize, they have been beforehand with their opponents. Even the desperation with which they have embarked, has often been the instrument of triumph. Sunk in indolence, indifferent to consequences, terrified by imaginary fears, no firmness nor constancy, nor activity of spirit, has been any where manifested, capable of repelling their bold assaults; and the mere audaciousness of their demands has, in many instances, extorted compliance. Not that I am wish-

ful of recommending the conduct of France as a pattern altogether fit for the adoption of our government. But such is the present melancholy aspect of affairs, that, to a certain extent, it must be so contemplated, and indeed is the only apparent mode within our reach, by which our safety can be secured.

Much as I feel inclined to venerate the ancient public law of Europe;—that law which, for a long series of ages, by preserving a political balance, upheld the independence of the various states into which it was divided, and, with their preservation, contributed to the advancement of every elegant refinement, or useful occupation; ardently as I wish that that law, and the innumerable benefits which it conferred, were still in force; yet when I perceive one man, whose power or influence, this flourishing and happy land excepted, extends to every circle of civilized life, and almost to every privilege of animated nature; when I perceive this man, thus gifted, completely breaking up the old system, by which nations, in their conduct towards each other, have been hitherto regulated;

when I observe him totally disregarding the faith of treaties, the authority of local habits, and the enthusiasm of national prejudices; setting every ordinance, both human and divine, completely at defiance; and promulgating decrees which are universally to operate, according to the capricious inclinations of his base and irritable passions; when things are carried to this extreme pitch, we are compelled, in our own defence, to consider how we can best avert the mischief which he has inflicted on others, and which he is meditating to extend to us. If we cannot preserve ourselves by adhering to those prescriptive rules which, from being deserted by others, no longer protect us, we surely are released from all obligation to obey them; and it depends entirely on our discretion to adopt that new mode which new circumstances require. If others suffer from this change in our conduct, we are not to blame—that is their misfortune, not our crime; and the whole mischief is to be imputed to him who forces us into this unavoidable state.

In conformity to this reasoning, we are not only justifiable in having recourse to those regulations which are best qualified to defeat and confine his; but we are guilty of an evident dereliction of a most sacred duty, by postponing the determination so to act. Every society is indispensably bound to watch over its perpetuation. When that leading object of its solicitude can be effected by the maintenance of mild laws, and the observance of ancient usages, a departure from them is a wicked, and may become a dangerous experiment. But when, by an adherence to them, its existence, from the previous desertion of others, is endangered, it is not only weak but criminal, to persevere in obedience. Self-preservation supersedes every other obligation, and to the safety of the commonwealth inferior considerations must yield.

Buonaparte having therefore, in every particular, totally annulled the public law of Europe, and, in his principles and his acts, far outstripped every occasional excess, which has ever been committed by those in whose hands the power of empire

has before resided, we must resort to the solitary alternative which his injustice has left us, and endeavour to oppose the profligacy and outrages of his designs by the sternness of retaliation. Thus, he having declared this country in a state of blockade, and, by the most nefarious edicts, compelled every port, over which his authority extends, to be shut against our manufactures, we should instantly resolve to cut off his means of supply, as well as those of his dependents and friends, by excluding all possibility of commercial dealings from their havens. We should convert our navy to the same use which he makes of his army; and, by putting a complete hinderance to neutral intervention, convince him that our power could be more detrimentally employed than his. Affairs have at length reached that aggravating and outrageous point of enmity, that it is worse than folly to be any longer restrained in our proceedings by the delicacy of sentiment, or the forms of ceremony. Buonaparte has in the plainest terms declared, and he has acted up to the declaration, that every nation which he

can coerce by force, or terrify by threats, or persuade by argument; shall be hostile to Great Britain, and shall, in concert with him, contribute its aid to augment our embarrassments, and accelerate our political extinction. This being the case, we should be guided in our actions towards him according to the conduct which he observes towards us; and as long as he perseveres in the enforcement of his pernicious doctrines, we should retaliate by similar acts, till we have impressed him with proper notions of the folly of the experiment on his part.

Whilst we continue to persevere in our present system of meekness and moderation, by confining ourselves to the obsolete public law of Europe, we evidently disarm ourselves of half our power; and Buonaparte, who is restrained by no such squeamish disposition, derives signal and innumerable advantages from the severity of his commercial regulations. But should we interpose with our preponderating means, and retaliate on him and his friends by the same rigorous inhibitions, he would speedily discover that the chief suffering re-

coiled on himself. Such is the singular and afflicting position of Europe at this moment, that, strictly speaking, there are but two independent states. From the continent which he has subjugated, Buonaparte has banished all neutrality. The only neutrality remaining among the nations of the globe is a maritime one, which of course exists by sufferance from us. From this sufferance France derives all the benefit, and we incur all the mischief. On what principles of policy or justice we are bound to tolerate such an unequal state of things, it is needless to attempt to explain.

The distresses and inconveniences to which our commerce is subjected, in consequence of our tame acquiescence in Buonaparte's tyrannic ordinances, are sufficiently evident. They are every day accumulating in number and weight, and, unless speedily redressed, may be productive of the most ruinous effects. The exportation to the continent being nearly at an end, our trade, in all its branches, has sustained an alarming shock. It is in vain to endeavour to conceal the consequences

of Buonaparte's prohibitory laws. He may suffer from them himself, but with that we have nothing to do: we suffer with him, and to an infinitely greater extent. Our offices of customs and excise, which used to display such busy scenes, indicative both of our industry and our wealth, are now deserted places, where nobody is in attendance but the clerks, who, for want of better employment, are renewing the sports and pastimes of their boyish days. The docks and wharfs, which were formerly crowded with ships loading and unloading their valuable cargoes, and the streets on the water-side, which were perpetually thronged with carts conveying the richest commodities from one repository to another, now exhibit a silent and lifeless scene. These are serious evils, and, unless soon remedied, must be the cause of a defalcation in the revenue which will not be easily repaired. West and East India produce, those two leading branches of our commerce, have also, for want of a foreign market, become nearly a dead stock. Beyond our domestic consumption they are totally unsaleable, and, from the immense

stores on hand, are so lowered in price, that they yield scarcely sufficient to clear the duties, and the expences of freight, commission, and other charges to which they are liable. The planter and the merchant must consequently be deprived, not only of all profit, but of the means of defraying those disbursements which they must unavoidably incur; and as no people can be induced to labour long without reward, unless something be done to relieve them from this insupportable pressure, their occupations will be discontinued, and the revenue, with other innumerable advantages derived from the intricacy and variety of their extensive concerns, will be withdrawn from the fund of our national resources.

From the gradual progress of society, the productions of the Eastern and Western hemispheres have become articles of general consumption, and the inhabitants of the European countries have been so familiarised with their use, that they are as indispensable to their comforts and their wants as those of indigenous growth. Un-

less then, there be a physical impossibility of procuring them, they will never submit to their deprivation. But it is the spirit of commerce, to find out the cheapest method of stocking the different markets with these articles of general consumption and demand. As long, therefore, as neutral vessels are permitted to cover the seas, and to maintain nearly a direct correspondence between the European states and the distant regions of the globe, it stands to reason, that they will be resorted to by those belligerents, who have no naval force for the protection of their own shipping, as the medium through which they transact their foreign concerns. When the usual mode is interrupted, the next best is resorted to, and so on. Those whose life is spent in calculation, easily detect an error, and rectify it by a fresh expedient. Few obstacles can paralyse their activity, or outwit their acuteness.

According to these principles, the foreign merchant, who is a member of a belligerent state, as long as he can ascertain that neutral vessels will furnish him with

his wants at the cheapest rate, is not likely to procure them through any other channel. Such, indeed, are the advantages and facilities, with which our impolitic lenity has provided him, that the colonial produce of France, Holland, and Spain, can be transported from their respective settlements in the Atlantic to the mother-countries, and there delivered into the factor's hands, on much lower terms than we, with our decisive and acknowledged naval superiority over the combined fleets of the world, can obtain similar articles from our own islands; our convoy duty, with other heavy imposts generated by a state of war, together with freight, insurance, and commission, amounting to a much heavier per centage on the prime cost than that which the neutral merchant and ship-owner jointly require. We thus deprive ourselves of one of the chief advantages of our maritime ascendancy; our officers and sailors lose the fair reward of their valour and their toils, by having a most lucrative branch of prize-money cut off; the British merchant is oppressed, and excluded from all chance of competition with foreigners; and, above

all, our national enemy and rival is assisted in his resources, and provided with his wants.

To these crying evils there is fortunately a remedy of which it is to be hoped that the courage and vigour of the present Administration will, without further loss of time, avail themselves. It is folly to be cavilling like polemics, or moralizing like casuists, when we should be acting like statesmen. It is absurd to continue debating on the means of defence, when the enemy is at our door. Buonaparte's arms are of that description, that we must not confide in a coat of mail for resistance; we must repel them at once, by returning the blow. If a man attack me with a blunderbuss, I cannot defend myself with my fist. His conduct suggests mine: his weapons are only to be successfully encountered by similar ones to which he obliges me to have recourse.

On these grounds, if we wish to be just towards ourselves, and eventually towards others, we can no longer hesitate about the

measures which it behoves us to pursue. This is not the moment for tardy deliberation, but for instant action. This is not the moment to be compassionate towards others, but to vindicate ourselves. In conjunctures such as this, indulgence bespeaks want of spirit, and relaxation of authority insinuates incapacity to enforce it. Instead, then, of receding from antient claims, and surrendering antient rights, we must assert them with additional vigour, and carry them in a manner at once indicative of our intention, and demonstrative of our means. When we have enforced obedience, then is the opportunity to shew charity, and to cultivate conciliation; but we must first enforce it, and any subsequent alteration in our demeanour must be entirely an act of grace. We must prevent others, who, whatever their inclinations may be, if they be not deprived of the means of offence, we may rest assured, will be compelled by our inexorable adversary to employ them to our detriment.

Statesmen, of late years, expecting to gain by moderation what is only to be ac-

quired by coercion, have been governed, in their intercourse with neutral states, by very opposite principles. As long as matters were not pushed to extremity, there was an apparent generosity in their plan, and they might also, in some degree, be justified on the score of policy. But as times have advanced, and circumstances have revealed themselves, their justification has diminished, and what was laudable, or at least excusable, a few years back, at this moment would betray tokens of a very contrary description. I have ever been of opinion, that when it is once determined that any strong measure in politics will be eventually necessary, it is much the best way to carry it into immediate execution; for however harsh and unseemly it may appear at the commencement, it spares in the end much trouble, much expence, and frequently much bloodshed. No momentary calamity can equal the multifarious and accumulated evils of protracted warfare, and it is the undoubted duty of those who govern, by a proper use of the weapons which are confided to their discretion, to avoid as much as possible

the anxiety of procrastination, and by wielding them with fortitude, activity, and address, to convert them to their most appropriate application.

Much has been indisputably lost to the interests, and, I fear, to the character of this country, from a failure, on the part of our governors, in these points. The late administration was, in this respect, unaccountably defective. I say unaccountably; because many of its members were men of undoubted talents, and in every point of view entitled to our esteem. But when they first came into power, their time was too much occupied in making provisions for their friends; and when these arrangements were gone through, their whole attention was engrossed by speculations on domestic policy. External affairs were sadly neglected and mismanaged. Instead of vigorously aiding our allies, all applications from them were either coldly listened to, or disdainfully rejected. Instead of enforcing among neutrals an acknowledgment of antient maxims, and an obedience to old established rights; maxims and rights

which have been long universally assented to; which have been supported by the authority of every eminent expounder of this branch of the law of nations; and which, for centuries past, have been practically acted upon by every maritime state; they, in innumerable instances, most pitifully conceded. It could not have been from fear; that would be a ridiculous supposition; for the paltry means of defence with which neutrals are provided, could never have awakened any such emotion: yet they shrunk from the contest, with as much apparent alarm as if our cause were, in every respect, defenceless. All neutrals have, throughout this war, been suffered to trench, more or less, on our maritime rights. Their encroachments have been, generally, progressive; but the Americans, in particular, have been permitted to carry them to an extent, which has amounted both to a contempt of our power and a total disregard of the honour of our flag. They have been allowed to range, without molestation, wherever their enterprise or their avarice has invited them; and, by the most gross and shameless frauds, to cover

the property of our enemies, and to administer to their most imperious wants. Our unexpected forbearance has begotten in them a species of insolence, which it has been long necessary to repress. They now venture to talk to us in a tone, as if not only the privilege of action, but the power of chastisement, resided with them. They have preferred pretensions, which till lately were never heard of, and have urged them with a pertinacity which they never would have dared to manifest, had not our unaccountable acquiescence in their gradual attacks encouraged them to proceed. If the right of search has not been formally abandoned, it has been exercised within such narrow limits, that its efficacy is destroyed; and the immunities which neutrals have at length assumed, amount to an almost total liberation from restraint.

The vessels of states, styling themselves neutral, are now suffered to trade with the colonies of our enemies, with such slight molestation; the right of search or detention is so little insisted on, and so easily evaded by the unequivocal frauds which are prac-

tised, that it is become an act of useless trouble, and had better be altogether relinquished. These vessels, which we know are laden with what till recently was ever regarded as contraband property, may now navigate the seas without danger of confiscation. Thus, although not actually at war with us, they contrive to injure us, according to their means, in a far more serious way. They are the secret agents who distribute wealth to our ostensible foes. By keeping up a constant intercourse with their colonies, and carrying on with them an extensive and destructive commerce, they materially assist them in cultivating those resources which are among the chief sinews of war. The modes which they practise have been sufficiently exposed by the forcible and ingenious author of "War in Disguise;" a work which has been too generally read to render any particular account of their proceedings necessary here. I shall only therefore just cursorily observe, that, arriving at the numerous colonial ports of our declared enemies in ballast, or, at most, with a cargo of lumber worth a few hundred pounds, they return laden

with the most valuable productions. False bills of lading are easily prepared; false oaths are readily made; and thus fortified, they boldly set sail for France, Spain, or Holland, where they deliver the cargo, from the planter to whom it in reality belongs, to the merchant to whom it is in reality consigned. They can, if they are desirous, avoid even their present trifling risk; for it was matter of convention between the late government and the American states, that cargoes of the above description, on being landed in an American port, and paying a small duty, should be exonerated from all detention by our cruizers, and permitted to proceed without molestation wherever they thought fit. In this way has the commerce of our enemies been assisted, and that of Great Britain injured.

It is, however, to be hoped and expected that these abuses, which are so lamentably detrimental to many of our vital interests, will be no longer tolerated; and that we shall, at length, not only assert our ancient and acknowledged rights, but that we shall insist on an obedience to such supplemental

regulations as the altered state of affairs, at this eventful crisis, so imperiously demands. We have the power; and although it is our duty to use it as moderately as circumstances may admit, it is also our duty to use it with efficacy.

There is, evidently, but one method of bringing these abuses to a speedy and positive conclusion; which is, as long as Buonaparte chuses to persevere in his intolerant system, at once to interdict all neutral trade whatever. I would completely assert the ascendancy of the British trident; and, as far as the intercourse with France and her dependents or her allies was concerned, I would not suffer a neutral bark to float upon the seas. What France wanted, she should not acquire, till a duty had been levied on it in some British port; and thus would I compel her to contribute to the prosperity of our commerce, and the support of our maritime strength.

As I before observed, there are, strictly speaking, but two independent nations left; and those who are not our friends, must be

at present, or must speedily become, our enemies. Buonaparte has the complete rule over the continent, which he exercises, according to his own free-will, in the manner which, in his judgment, will prove most injurious to us. We have the complete rule over the seas, which we, in return, should exercise, according to our own free-will, in the manner which, in our judgment, will prove most injurious to him. This is the only mode which he has left us of correcting his audacity, or of disarming his malevolence. Can we then hesitate to adopt it? The public law of Europe is for the present gone. On the part of the continent, it has been dissolved by the tyranny of its usurper: on our part, it has been superseded, by the necessity to which the operation of that tyranny has reduced us. It is not to be expected, that we should continue to acknowledge the validity of those restrictive maxims, which our adversary completely rejects; and, whilst he is ranging at large, entirely released from all confinement, that we, from bigotted scruples of conscience, should fetter ourselves by an implicit obedience to their authority. His acts exonerate us,

in the strictest moral sense, from all obligation. If it is our duty to be kind towards others, that duty can only so far apply as it is consistent with our safety. The strongest law of nature is self-preservation, and to that law, on general principles, every other must bend.

The law of nations must, from its very constitution, be purely conventional. Over the actions of independent states, there can be no sovereignty. There can be no permanent tribunal, to which they can appeal for redress: there can be no judicature to adjust their disputes, or to punish their transgressions. If, therefore, in the civilized parts of the world, a code of laws has gradually grown up, and has been generally acknowledged, it has been from a sense of its utility, and from a conviction of the convenience which has resulted by abstaining from its infraction. It was, no doubt, while it lasted, of infinite benefit to mankind. It has frequently prevented hostility: it has always mitigated the havoc of war, and facilitated the return of peace. By moderating the passions of men, and setting up boundaries which were

respected by common consent, and which even an hostile state was rarely provoked to disregard, it imparted to the efforts of an antagonist a character of justice and clemency, which divested him of the violence of ferocious hatred, and assuaged the fierce animosity of national contention. By tempering the malignant spirit of enmity, its fatal effects were diminished, and its resentments more easily appeased. Even amidst the most melancholy ravages with which wars were occasionally attended, individuals of adverse communities regarded each other with sentiments of humanity. They fomented no feeling of rancorous revenge; and the moment peace was restored, the wounds which had been inflicted were at once healed, and even the memory of them was obliterated.

But an enemy has now started up, who is evidently determined to force back society to the barbarous doctrines of savage and untutored life, and completely to expunge from the institutes of public law every maxim by which man, in his civilized state, has been hitherto controuled. The

ravages of this cruel spoiler are only to be resisted by the arms which he himself employs. And the sooner he is repelled, the better for suffering humanity; for not till then can they hope to be restored to the enjoyment of those privileges, or the protection of those laws, under which they have been accustomed to live, and from which their most valuable blessings have been indisputably derived.

Thus, with whatever reluctance and grief, we absolutely must, in our own defence, and as the last resource left to bind down our antagonist to some state of reasonable subordination, suspend the operation of public law. We must impede the irregularity of his incursions, by letting him feel the extent of the penalty which he is striving to inflict on us, and thus compel him to abandon the profligacy of his career. What in him is the basest and most wanton depravity, is reduced in us to nothing more than justifiable retaliation. It is, in fact, the only mode by which we can rescue ourselves and others from impending evils of no light complexion. It is only

by a prompt and bold interference, that what has been lost can be retrieved. If we continue to yield much longer, recovery may be placed beyond the horizon of hope. When we have driven him back within the prescriptive confines of justice, we, who only overleaped them in his pursuit, shall voluntarily return, satisfied with the proud distinction of having restored to the practice of christian nations the doctrines of civilized and social existence.

It is very evident that if we vigorously enforce that extended right of search, which is consonant to our political welfare, and put a complete stop to all neutral intercourse with France and her allies, by absolutely prohibiting vessels, navigating under a neutral flag, from conveying thither their colonial produce, we shall cut off the only channel through which they are accustomed to receive every foreign commodity. In that case the underhand commerce, from which they at present derive innumerable benefits, will be at once annihilated, and Great Britain, becoming the

only emporium, whatever France requires from the stock of foreign lands, to feed her wants, or to administer to her luxuries, she must apply for to us. We should then be totally independent of others, and most of the advantages which we enjoyed would be exclusively our own. We could then, without hazard, fix an arbitrary price on every article of exportation, and in proportion as France opposed obstacles, would the expence of procuring her necessities be increased. She being the chief sufferer would soon find it her interest to repeal her non-importation laws, and diminish her restraining duties. Instead of endeavouring any longer to thwart our trade, she would court its conveniences, and the different markets of Europe would again become eager competitors for a commercial connexion with this country.

With all his power, what, in fact, can Buonaparte do to interrupt the pursuits of trade compared with us? He can subject it to inconveniences; but we can at once destroy it. Neither his vigilance, nor his authority, nor his malevolence,

can extend beyond a partial prohibition; but we can completely impede its operation. Whilst he has his wants provided through a neutral medium, he can no doubt, with impunity, exclude our manufactures and produce from his ports; but we can, whenever we chuse, cut off this medium, and shut his ports against every supply. He can enforce his regulations on shore; but our jurisdiction is more extensive. We can scour the seas in every latitude, and deprive France of the possession of every transmarine commodity. We can banish her from the east, and the west, from the north, and the south, and, unless by our permission, she cannot obtain an article of the produce of nature but what her own soil affords. Other nations would undoubtedly suffer with her, but she would be the cause of their sufferings as well as of her own. By such considerations, therefore, we ought not to be restrained. Partial evils are often inseparable from great positive benefits, and, in times of difficulty and danger, we must not reject an evident advantage merely because it is attended with colla-

teral inconveniences. The system, in our hands, would moreover be enforced, whilst it lasted, with feelings of charity and conciliation, nor should we persevere in it beyond the term of its palpable necessity.

The well concerted expedition against Zealand, which has had so brilliant a termination, certainly augurs well. The whole conduct and execution of this important affair have been truly illustrative of the virtues of the British character. Throughout the operations both of our army and our fleet, generosity accompanied firmness, and courage was tempered by humanity. Nothing was done but what was absolutely necessary for the attainment of our object. Not a shot was fired till every effort at negotiation had failed. Nor was the triumph of victory sullied by any of those excesses which are so frequently committed by an elated soldiery. The severest discipline was in all quarters maintained. Persons and property were equally respected. Even the feelings of the inhabitants were spared, and the exultation of

success gave way to the esteem which was due to their bravery, and the compassion which was excited by their misfortunes. What a contrast to the capture of a besieged town by a French army! The seizure of the Danish marine is a masterly stroke of political sagacity. Indeed, the entire transaction reflects infinite credit on the present administration. Compared with the pitiful or disastrous schemes of their predecessors, it cannot fail to establish their reputation on the broad basis of public opinion. The preparations were made with a celerity and a secrecy, such as, of late years, have not very frequently characterised the measures of our cabinet, and what was of still greater moment, the force dispatched was adequate to the accomplishment of the object in view. It was a coherent and consistent plan, well digested and organized throughout, and which has been no less admirable in its developement than in its conception. It has given proofs of a degree of vigour worthy of the exhaustless resources with which this country is blessed, and has evinced a determination to depart from those creeping maxims, and

to burst asunder those oppressive chains, by which our best energies have for so long a time been shackled. It has also regenerated for us a character as politicians, which the late administration had suffered to fall into utter contempt; and whilst the nations of Europe were imagining that we were crouching under the superiority of Buonaparte's genius, and were rendered incapable of any important enterprise, it has exposed the fallacy of their expectations, and has taught them that we have still sense left to contrive, courage to attempt, and power to accomplish.

A great outcry has nevertheless been raised by a particular set of partizans against the immorality of these proceedings. But it is natural, that those who would destroy us by their inactivity, should loudly carp at what is now the only policy left to reinstate our affairs. It is in them a perfectly consistent conduct. What their neglect or mismanagement would lose, they regret to see secured by the energy and skill of their rivals. It is a fatal blow to their political fame, and must remove to the vanishing

point of perspective, all rational hope of a return to power. We are thus asked a whole string of questions, such as " what right had we to invade a neutral state ; to molest a friendly power; to depart from the law of nations?" with a multitude of others equally significant and pertinent. My answer to all these interrogatories, and I mean it to apply to whatever else of a correspondent nature we may think fit to do, is this: That our interest, and by interest I mean, in this instance, that definition of it, which amounts to necessity, required such a proceeding. Independently of this, which however I do not purpose to advance as having influenced the motive, or induced the act, the Danes will ultimately be gainers. It is however a satisfactory coincidence in their favour. As they must have fallen either to Britain or to France, there can be no question which will prove the mildest and most generous master. France invades to destroy: we invade to avert that destruction. When France conquers, she sternly places every thing at the mercy of the sword : when we conquer, the justice and benignity of our

domestic laws equally shelter the persons and the property of those, whom the fortune of war has placed at our disposal. Wherever French power penetrates, all the horrors of private pillage and public confiscation, of insult and oppression of every denomination, are dealt forth with unrelenting austerity: wherever British power interposes, it faithfully upholds the sanctity of religion, the authority of jurisdiction, and preserves, with inviolable honour, every claim of private property and of personal freedom. By our invasion of Denmark, we have secured the prize which the French chiefly coveted; and, by thus removing the principal motive for their attack, have probably averted the frightful outrages of their subjugation. By taking possession of the Danish fleet, we have prevented it from being delivered up to a government already too strong, and which would only have employed it as an additional instrument to tyrannise over mankind. In the hands of France, it would have been forfeited for ever: in our hands, it may possibly, at some future period, be restored.

It has been further demanded, how we could be certain that France would have molested the Danes? But after what France has done, such an inquiry is almost too childish to deserve a reply. After the direful examples which, on every side, surround us, are we then to wait till France is in actual possession, before we begin to suspect her intentions? Has she approved herself so scrupulous, so delicate in her proceedings; has she betrayed such a regard for justice, and such a tenderness of giving offence; that we must be charged with having committed against her an act of indefensible suspicion, when we imagine that she may be prevailed on to swerve from the path of political rectitude? But even if we were not allowed to guess at her designs, has she not publicly declared them? Has she not told us, that she will not suffer a European port to be open to the reception of our commerce? To carry this threat into execution, has she not annulled the jurisdiction and municipal laws of all the free towns of Germany; has she not barricaded every port in the Mediterranean; has she not entered into a

scheme with the emperor of Russia to shut up the ports of the Baltic; has she not obliged the Turks to banish us from the ports of the Archipelago; has she not expelled the Swedes from Pomerania; has she not assembled an army for the invasion of Holstein, and concerted measures for closing the passage of the Sound; and has she not published her intention of invading Portugal, and of obliging the family of Braganza to abdicate the throne, that her chief may extend to that unfortunate and defenceless country the curse of his sovereignty? When people ask what the Danes have done to kindle Buonaparte's resentment, let them also ask what the Portuguese have done. They have done nothing: they have even done less than the Danes; for with an equal impotency or desire to molest France, or to resist her insult and oppression, they have, more than once, purchased their neutrality at an enormous expence. In order to preserve, during Buonaparte's pleasure, the fallacious appearance of independence, immense sums have been extorted from them, and they have been degraded to the rank of a tributary

state. The allurement of Portugal is her wealth; her crime, keeping up with Great Britain a commercial connexion. Buonaparte, therefore, is stimulated to the fulfilment of his denunciation by the three most powerful motives which have hitherto been the rule of his action: namely, his ambition, his avarice, and his revenge. Justice never enters into his contemplation; his doctrines are throughout Machiavelian. Artifice imposes on credulity, stratagem supplants honour, and power constitutes right. Whenever his vanity, his cupidity, or his resentment is to be gratified, it is equally idle to attempt to awe him by the decrees of justice, or to sooth him by the language of supplication.

The power of France has grown up on the continent, chiefly, from the cowardice, treachery, and stupidity of those states which have been subdued; but partly, from the mismanagement and supineness of this country. Such has been her unexampled success, that all resistance, except ours, is already crushed; and she has cer-

tainly become sufficiently formidable, even to this last barrier against universal dominion. Danger is not to be avoided by glancing at it side-ways. If we wish to escape it, we must not disguise it by optical deceptions: we must look it full in the face, and minutely examine it in all its properties and parts. And if we thus survey it, we must confess it to be great. But if our adversary has powerful means at his disposal, and is actuated by a fixed determination to exert those means in the way most likely to prove fatal to us; we have the consolation to know, that we are also blessed with powerful means, and with resources which, if properly called forth and applied, are not only completely adequate to the maintenance of our independence, but to impress on his mind a conviction that we are more than equal to him in the contest. But to effect this, no timid policy, no ordinary exertion, will be sufficient. We must be strenuous in our resolutions, energetic in our operations. Discarding the tameness of hesitation, we must boldly step forth to action, erect in countenance, firm in our advances, and clad in the stout-

est armour of defence, the justice of our cause. By making the country intimately acquainted with its real situation, we must infuse into its population that spirit which is commensurate with the difficulty and the magnitude of the occasion. By so doing, by explaining every thing, and concealing nothing, we shall familiarize them with the contemplation of those great sacrifices to which they must be called upon to submit, and which can alone secure a triumphant issue to the arduous struggle in which they are embarked.

Whilst the present painful crisis lasts, things should be so ordered and arranged, that, whatever circumstances may ultimately arise, we may be fully prepared to meet them. Independently of our naval superiority, and those numerous signal advantages which appertain to our insular situation, we should be defended by a military force sufficient, without any confederate aid, to combat the legions of our enemy. And such a force might, I conceive, be raised, without any material inconvenience to the civil pursuits of

the country. The plans for this object, which have been officially laid before parliament, are obviously inadequate; and of all those which have been submitted to public consideration, that suggested by Lord Selkirk is evidently the most complete. With very trifling alterations, which would best suggest themselves upon experiment, I am convinced that it might be carried into execution. It might occasion murmuring at first; but as soon as the nation was satisfied that their safety depended upon it, that murmuring would be changed into applause. Besides, if the contrary were the case, no government should be deterred from the pursuit of what is right, by the dread of what is unpopular. They should proceed, unmoved by complaint; and they should reflect, that the time may come when, if they shrink from their duty, they may have more to fear from popular clamour and resentment for having provided too little, than for having provided too much. When existence is at stake, it is better to err from caution than from negligence. We then at least err on the right side; and, in the

mean time, the security which is afforded amply compensates for the inconvenience which is caused. It is impossible to dive into the events of futurity. All that human wisdom can do, is to conjecture by reasoning from analogy. The best prudence, at all events, is, by computing from possible contingencies, to be fortified against every reverse. The moment of danger is not the moment of counsel, and should we at any period be surprised by the activity of a vindictive foe, however advanced our preparations may be, we shall have abundance left to occupy our attention. We have now leisure to modify and arrange our plans, and by not postponing our exertions, whatever may occur, we shall have nothing to dread.

Regarded as to means of defence, this country is perhaps beyond every other on earth calculated for resistance. It is in possession of every advantage which can enable it to assert, or which can tend to confirm and perpetuate, its independence. Surrounded by the sea; furnished with innumerable strong positions; abundant in

population; fruitful in soil; inexhaustible in wealth; a free government; and, above all, a resolute, high-minded, and warlike people; a people generous as they are brave; impatient of domestic usurpation; and indignant at the thoughts of foreign slavery; equally signalized in arts and arms; devoted to their religion from the conviction of reason; enamoured of their laws, which have been acquired by their blood; indissolubly attached to their customs, and averse to those of foreign lands; anxious to acquit themselves of those sacred obligations, which belong to them as the members of a great community; inspired by the example of recent achievements; and whose history unfolds to their imitation a series of heroic exploits: with such a people, a wise and paternal government can accomplish every thing. The materials are at hand, and if not found answerable to the occasion, the fault will lie in the use to which they are put. It is my firm and unalterable opinion, that, if this country should ever fall, the blame will not belong to those who are ruled, but to those who rule.

When we consider what would be our lot, should we be subdued by the present government of France, there surely is enough to awaken caution, and to rouse activity. When we recollect the threats which our adversary has uttered against us, and figure to ourselves how infinitely those threats would be surpassed by his acts, we surely can regard nothing as a hardship which contributes to our safety. No pen can describe, nor can imagination well conceive, the misery of our fate, if we were once at the disposal of the tyrant of France. The sufferings of other countries, which have basely received his yoke, have been sufficient to harrow up the heart, and to wring the very soul with anguish; yet mild have been their sufferings, to the horrors of that destiny to which we should be doomed to submit. Their calamities have chiefly arisen from the temporary indulgence of base passions, from the licentiousness of victory, the avarice of plunder, or the dissipation of pleasure. Having favoured, rather than opposed Buonaparte's success, they have been treated more with a feeling of contempt excited by weakness,

than with a feeling of revenge provoked by resistance. But we have acted a worthier part. We have not only been the opposer, but the rival of France. In feats of prowess we have equalled her; in every thing else that is laudable we have surpassed her. Our cause has been sanctified by its justice, and has embraced every benefit which dignifies or embellishes the blessings of life: her's is founded in usurpation, and has been maintained by every atrocity of which human nature can be guilty. We have aimed at the perpetuation of civil society; she has nearly completed its ruin. Against the entire fulfilment of her designs, we have been, and still continue to be, a solitary obstacle. In proportion as that obstacle has been effectual, has the rancour of vengeance been kindled in her unrelenting breast; and, that obstacle removed, she would rush upon us with all the fury of which her diabolical nature is capable. As we have been worthy of her esteem, so have we exasperated her resentment. As our defence has been glorious, so would our chastisement be severe. It would be the purport of our new master, to-

tally to extinguish every noble or manly feeling; to train us to burdens and stripes; to break us in to the endurance of his dispensations, by subduing every humanized sentiment of the soul. Our monarchy would be subverted; our royal family, our bishops, our nobles, our judges, our most distinguished naval and military officers, our chief commoners, would be barbarously butchered; our remaining gentry, our yeomanry, our peasantry, would be reduced to the most galling and abject servitude. Add to this, the profanation of our altars; the abolition of our laws; the destruction of our courts of justice; the total ruin of our agriculture, our commerce, our manufactures, and our arts. We might weep over the recollection of former happiness; we might mourn over the tomb of departed greatness; but useless would be our tears, and unavailing our regret: they would only expose us to fresh indignities, to the taunts and mockery of our fell destroyers. No longer would the house of an Englishman be his castle, no longer would it be a sanctuary under the protection of the constitution. Neither

this, nor any other privilege would continue to exist; but every thing that we have been taught to venerate or love, would be indiscriminately delivered up to the consuming rapacity of plunder, the gross appetency of lust, and the exterminating rage of tumultuous revenge. Every description of property would be wrested from us; not a shadow of personal freedom would remain; and, whilst our women were abandoned to the promiscuous embraces of a brutal soldiery, the blood of our parents and our children would moisten the invader's sword. Every base and baleful passion would be allowed an unrestrained course, and the infernal agents of the despot's will would be recompensed in proportion as they diffused the havoc of his vengeance.

It is to guard against such evils, it is to shield us against such dire calamities, of which this description is but a feeble delineation, that the government and the people of this hitherto free and happy land, are called upon for exertion. Independently of those considerations in which

our own interests are more immediately concerned, we have a glorious example to hold forth to the world. We have to convince other nations, that their misfortunes might have been averted had they sincerely struggled in the same cause, and, through that conviction, to animate them, at some future period, to attempt to recover by courage what cowardice has lost. We have further to consider, that this land is now the last refuge of virtue, the last asylum of liberty, the last sanctuary of religion, the last rampart against the inroads of military despotism, and the utter dissolution of political independence. We have to consider, that if it perish, every blessing and ornament of life will perish with it, and that the wretched and degraded state to which it will be reduced, will be rendered still more intolerable by the recollection of former happiness. If, then, there ever was any thing in human affairs worthy of affection; if ever there was any thing truly majestic and interesting in the fate of humanity; any situation worthy of inspiring the holy fervour of enlightened patriotism, the sacred resolution of unani-

mous devotion, it is that which this great country at this tremendous crisis exhibits.

Nor must we flatter ourselves, that we are near the conclusion of our troubles. We are possibly at the commencement of far greater than any that we have yet experienced. This is a conjecture full of awe, but not of a nature to dishearten us. A brave and gallant people rise in spirit in proportion to the trials which await them, and always display qualities answerable to the emergency which presents itself. Many there are, I know, who are silly enough to cherish hopes of a speedy peace: some there are, who, from selfish views, are wicked enough to wish to purchase that event at any price. How indeed is it to be brought about, except by the debasement of our honour, and the capitulation of our rights; by the acknowledgment of Buonaparte's host of vagrant kings, and the surrender of that high political ascendancy which we have hitherto so proudly maintained? Even with a submission to these mortifications and disadvantages to aid us in its accomplishment, could we

hope to insure its duration? It is absurd to entertain such a notion. We should only be the slaves of our baseness, or the dupes of our credulity. We can never live on terms of friendship with the present government of France. The hatred of her tyrant is too deadly, the causes of that hatred are too deep-rooted, ever to admit of repose to his malice, when we are the subject of his meditation. We may consent to a truce; we may agree to a treaty; but we can never conclude a solid and cordial peace. Never can we expect the rancourous resentment with which he surveys us to be immerged in oblivion, or disarmed of its sting. He too well knows that his security depends on our destruction. As long as we continue to hold out the example of successful valour and freedom to Europe and to France, he is too well aware that he can never be safe. Of such an example he dreads the contagion. Whilst we are prosperous and happy, we can never tranquillize his fears by becoming the object of his scorn. Our happiness makes his crown totter on his brow, and undermines the perishable foundations of his

throne. Our prosperity is a thorn which is perpetually festering in his side: it is a gangrene which ulcerates his passions, and corrodes his heart. As long, therefore, as he lives, we must be prepared for war. We must banish from our thoughts all sordid and reptile views, and assiduously cultivate those masculine virtues which, by rendering us conversant with danger, will enable us to face it undismayed. We must nourish our courage with the wholesome aliment of endurance. We must foster the cardinal virtue of patience. There is frequently more intrepid fortitude displayed in the period which precedes the attack, than in the crisis which encounters it. The latter may be a momentary act of desperation; but the former bespeaks that true expansion and sublimity of soul, which can contemplate peril under all its modifications with undaunted resolution.

Let us, then, whilst humiliating ourselves before God, and devoutly craving his almighty protection, firmly resolve to perform our several parts, in a manner worthy of the righteous cause which is committed

to our defence, and which will be equally calculated to sustain past celebrity and present hope. Let all ranks emulate each other in the conscientious discharge of these pious obligations, and, suppressing the feelings of domestic disunion, and the bitterness of party animosity, unite, with one common consent, in the most glorious of all human occupations, the preservation of National Independence. If, after such endeavours, it should still be our destiny to fall, we shall at least have reserved the best consolation which adversity can afford, that of having faithfully acquitted ourselves of our duty. Instead of having cowered with the dastardly humility of slaves, we shall have contended with the generous courage of freemen; and, whilst our glorious resistance will have diminished the value of the conquest, it will rear a mausoleum to our memory at which our posterity will have no reason to blush.

London, Sept. 25, 1807.

POSTSCRIPT.

HIS Majesty's declaration, on the subject of the invasion of Zealand, was inserted in the newspapers the day after this pamphlet was published, and is of a nature to remove the scruples of the most casuistical, and to neutralize the cavils of the most querulous. It is one of the most eloquent, energetic, and consistent state papers that has for a long time appeared; and it affords an additional instance of the vigour and talent which are resident in the present cabinet. No doubts can possibly be any longer entertained as to the justification of the measure. We have his Majesty's royal word, that "he had received the most positive information of the determination of the present ruler of France to occupy, with a military force, the territory of Holstein, for the purpose of excluding Great Britain from all her accustomed channels of communication with the continent; of inducing or compelling

the court of Denmark to close the passage of the Sound against the British commerce and navigation; and of availing himself of the aid of the Danish marine for the invasion of Great Britain and Ireland."* The incapacity of Denmark to resist, is appositely and legitimately deduced from her own acknowledgment on a former occasion, when the danger was by no means so imminent. How little, in fact, she was competent to her own defence, our recent operations have plainly demonstrated. The whole affair was thus reduced to this simple question: Whether we, positively knowing that Buonaparte had matured a scheme, to appropriate to his use, and to our annoyance, the naval strength of Denmark, were not warranted in endeavouring to defeat this intention of his malevolent and destructive ambition? If the Danes had been even strictly impartial in their neutrality, no one could well have pretended to criminate us for an act in which our safety was so deeply concerned. But when we were in possession of pretty clear

* See Declaration dated Westminster, Sept. 25, 1807.

proofs that the French had been tampering with the Danes, and that the Danes were, either from inclination or timidity, disposed to listen to their proposals, the necessity of our interference became so urgent, that had our ministers remained inactive, they would have been guilty of treachery to the state, and would have justly merited the bitterest indignation of their country. There is, however, a wide interval between the different degrees of activity which may be exerted in cases of such extremity. Some might have been active to the utmost of their ability, and yet to very little purpose: but here was an activity which secured its object, an object which the French were at the same time seeking, and for which they had been long clandestinely making arrangements.

As the circumstances which led to this determination of our cabinet are now unfolded, we can fairly pronounce judgment on its merits; and we must allow that it exhibits one of the most dexterous strokes of political address that was ever attempted. Whilst it is thus calculated to meet the

sterner views of the politician, it has also been managed in a manner to satisfy the most strenuous advocates for generous moderation. The mild and conciliating, yet manly sentiments which the declaration throughout displays, must indeed command the applause of all who feel a genuine attachment to the honour and interests of their country. Now that Denmark is at our feet, we do not trample upon her, like the Corsican despot: now that her capital is in our power, we do not deliver it up to military carnage and plunder, like the revolutionary upstart of France. These are not dispensations consonant with the feelings of the monarch, or the government, or the people of Great Britain. A vanquished foe is with us a foe no longer. Having obtained our object, in the acquisition of which our safety was materially involved, we go not a step farther; but, on the contrary, we manifest every disposition to alleviate distress, to console affliction, to cultivate friendship, and to repair the breach which we have involuntarily, but unavoidably made.

The necessity of that decisive policy, which I have, in the foregoing pages, endeavoured to recommend, becomes every day more cogent. Buonaparte pursues his plan of usurpation with accumulating power, and with unremitting zeal. To his inordinate ambition nothing can minister repose. Neither truce nor peace can avert his design, or arrest his progress. His determined aim is universal dominion: his means are open war, or secret intrigue, or treacherous negotiation, as they are best adapted to his nefarious purpose. When will the veil of delusion be torn from the eyes of continental councils? How long will mankind continue to be so obdurately blind to their approaching fate? Buonaparte has at last completely overreached the three once formidable continental states, Russia, Austria, and Prussia; and now that he has strengthened his position, and weakened theirs, he is again provoking a rupture. Cattaro and the Seven Islands have been ceded to him by Russia, by treaty; Trieste and Fiume he has taken from Austria, by

force;* Prussia has lost half her territories, after an inglorious war. We thus find that Prussia is prostrate; Austria is trembling for her safety; and if Russia now renew hostilities, her capital may possibly be captured, and every province of her empire may become a prey to the horrors of revolutionary destruction. Let us profit, whilst there is yet time, by these dreadful examples!

Amidst the general wishes for the immediate adoption of the vigorous system, which I have ventured to recommend, there are a few dissentient persons, who urge, rather however boisterously than argumentatively, two objections; the first, on the score of policy; the second, on the score of morals.

These objections are plausible, and, if they were valid, would be conclusive. But I think that I shall have little difficulty in demonstrating their total futility.

* It does not seem certain that this event has yet taken place. If, however, it has not, I have only, I fancy, anticipated it by a few months.

When I insist on the necessity of putting an end to neutral traffic, I, of course, confine my remarks to that branch of it which contributes to the resources of our enemies: what benefits ourselves, it is obviously our policy, not only to tolerate, but to encourage and protect.

In obedience to these principles, we should instantly abolish every kind of intercourse between France and her colonies, and also between those colonies and neutral states. This we are, incontestably, authorized to do, without deviating, in the slightest degree, from old established maxims. The commerce which France did not permit to neutrals during peace, they can have no right nor pretension to engage in during war, even though France take off the restraint; because, in that case, the consent of France is granted solely in consideration of the benefit which their intervention confers. In proportion, however, as it aids her, it must injure us: we, consequently, are perfectly justified in obstructing it.

The rigorous exercise of this preventive

measure, by materially diminishing the supply of West India produce conveyed to Europe, would, in an inverse ratio, enhance the value of that part of it which is the growth of our own islands. Such, indeed, would be the increased demand on us for these requisite articles, in consequence of the great deduction from the general stock, that we might safely lay very heavy additional imposts on their exportation, which our enemies would be compelled to pay. Neutral vessels, instead of visiting the colonies of hostile countries as heretofore, which, under these circumstances, would be attended with considerable risk, would find their account in coming in ballast to the ports of this kingdom, in quest of commodities, for which the principal markets of Europe will always insure a ready sale.

We should pursue a similar plan of prohibition and controul with regard to the productions of the East; nor should we suffer neutral vessels, of any description, to touch at any port in Bengal, or in any of our other settlements in that quarter, for the

purposes of trade. And although we might still permit their free communication with China, as far as their own wants were concerned, yet we should, on no account, allow them to transport their cargoes from that country, or from any other, directly to France, every haven of which empire should be instantly declared in a state of rigorous blockade. Surely, when France has issued a declaration to that effect against us, there can be no question about our right to retaliate. Most of the articles which France receives from Russia and the other northern states, being naval stores, come under the denomination of contraband, according to the old definition, and are thus liable to confiscation. Russia indeed, in particular, after the treaty of Tilsit, the most disgraceful that was ever signed by an independent government, in ancient or modern times, is not entitled to much favour from us. Were such regulations strictly and literally enforced, our own merchants and manufacturers would be speedily released from the heavy pressure of their present difficulties, and the public revenue would, at the same

time, be, in various ways, greatly assisted and improved.

Whilst we were deriving these manifest and important advantages, what, with all his power, could Buonaparte do to impede their course? What could he even do, to extricate himself from such serious and increasing embarrassments? There are numerous articles of indispensable necessity, whether of direct consumption, or for the purpose of manufacture, which the soil of France and of her continental dependents does not afford. These they must still have, and as they could only procure them through the medium of this country, both the value and the quantity would be governed by our discretion.

It may be a fanciful, but it is a most preposterous hypothesis to suppose, that Buonaparte could enforce prohibitory edicts, or that he should even be disposed to enforce them, to debar from the use of these commodities the population of the countries over which he rules. Nor is it

likely that he would be inclined to increase those charges and difficulties, which we should take care to render sufficiently burdensome. Even at this moment, with all his vengeful disposition, what is necessary to France, and can only be procured from England, still finds its way. In commercial undertakings, where there is much risk, there is generally a correspondent compensation; and when the desire of obtaining any thing is very pressing, the ingenuity of mankind readily discovers a method of arriving at its end. Buonaparte's extensive coast, which is so beneficial to him in some points of view, is, in others, highly inconvenient, especially in those respects which regard the enforcement of oppressive non-importation laws. We know perfectly well, from our own experience, that custom-house and excise officers are not among the most immaculate members of society, and, under such a government as that of France, without overstraining the powers of imagination, or being at all libellously disposed, we may conceive, that

the contagion of their vices contaminates the conduct of their superiors.*

But supposing Buonaparte's power and vigilance to be sufficient, totally to suppress the importation of our colonial merchandize, and that his frantic vengeance should induce the full exertion of that power and vigilance, the consequences, reverberating on himself, would be felt with tenfold severity. How has France been hitherto enabled to uphold her finances, but by the most arbitrary and vexatious exactions from her general population, and by the pillage of rich manufacturing and commercial towns which have fallen under her sway, and which, if deprived of the means of subsistence, would become a burden instead of a support? How would she be able to feed those manufactures which employ the industry of her own artizans, even with what is ne-

* It is indeed notorious, that the salaries of the higher officers on these stations, which are nominally very small, and are very irregularly paid, are chiefly made up from the perquisites of bribery and other wages of corruption.

cessary for her interior consumption, without the raw materials from which they are made? And if Buonaparte is to domineer over a ruined people, how is he to maintain his numerous armies, and to defray those enormous expences which are inseparable from the profligate luxury and tasteless profusion of usurped royalty? I am aware that it will here be objected, that when I draw inferences from the supposition of financial embarrassments, my premises are false; and that long and fatal experience has completely exposed their fallibility. To this I reply, that if our previous calculations on this head have proved so deceptious, it is chiefly because we have failed to pursue that system which is most likely to produce the desired effect. France has hitherto been abundantly supplied with all her wants through the channel of neutrality, and on such easy terms, that they have come into the hands of the consumer at a cheaper price, than if she had maintained a protecting navy, and imported them in her own shipping. The rest of Europe, under her dominion, has been provided in the same

way, and on the same conditions. But the moment we dissolve this illegal traffic, these advantages must cease, and this country must become the grand and exclusive emporium from which transmarine productions can be obtained.

Our complete supremacy at sea furnishes us with other inexhaustible advantages, which we cannot be too active in employing as the most effectual security for their preservation. The vengeance which it enables us to inflict, should be exerted in every mode, and felt in every direction. To such a foe as Buonaparte we should allow no respite.

The possession of the Danish fleet has, at once, added a considerable numerical force to our navy, which we should hasten to convert to the most beneficial purposes. This acquisition has been, by a particular set of people, most ridiculously undervalued. The truth however is, that many of these ships are quite new, and, although not so elegant in their form as our own, they would, when manned by British sea-

men, be able to keep the line, in an engagement, as well as any others. Some, which are not so fit for this service, might be made use of as transports, by which much time would be saved on any emergency when this description of vessels was wanted, and a considerable reduction in hire would be also effected. The third class, which would be least calculated for the open sea, might be fitted up in different havens as floating barracks, on board of which from 10 to 15,000 soldiers might be constantly embarked. This body might be changed every two or three months, so that we should always have a force ready to undertake any sudden enterprize, and the whole of our army would, by degrees, be habituated to a sea-faring life. Under proper regulations, these barracks would be attended with less expence than those on shore, and might be rendered fully as healthy and convenient.

Another object which, in my opinion, should never be absent from the contemplation of our government, is the destruction of Boulogne, and of every other har-

bour or fishing town which is exposed to our annoyance along the whole range of the French coast. Various reports have been circulated, about the flotilla at Boulogne being in a decayed state. I have heard a very different account, and which, I am confident, approaches much nearer the truth. Nor is it to be supposed that Buonaparte, after having expended such an immense sum in their construction, would suffer them to perish, by withholding the trifling sum which would be requisite to keep them in repair. But if they were even in a state of rottenness, I would still attack them in that state, because, if we can once prove to France and to this country that the bason of Boulogne, where the means of invasion must be chiefly assembled, is within our reach, that question, which with the increased power of Buonaparte must be viewed with increased anxiety by us, will be, in great measure, divested of its importance. And that this desirable object may be effected by the rockets, which have been so successfully used at Copenhagen, and to which the skill and ingenuity of Mr. Congreve

have given so sure a direction and so astonishing a range, I entertain very little doubt.

To the destruction of Boulogne, if we can accomplish it, consent would, I fancy, be unanimous. But when I talk of destroying fishing-towns, I fear that I shall excite to instant insurrection the whole host of pseudo-philanthropists. What! they exclaim, shall we pursue this ruthless system of extermination? shall we renounce the finest sentiments of humanity? shall we eternally disgrace ourselves by waging a predatory warfare with inoffensive fishermen? This would be all very just, if Europe were still divided, as it formerly was, into separate communities, acknowleging the doctrines of the old code of public law. But we have now, unhappily, to ruminate over a new order of things, which, by a general convulsion of the elements of civilized government, has totally dismembered and dilapidated all the ancient forms, and has accumulated into one overwhelming mass all the heterogeneous properties of which they were

antecedently composed. We have to reflect, that their various resources, thus consolidated, are at the entire disposal of one man, who is incessantly bent on employing them in our destruction. We have further to consider, that this man is in possession of a line of coast which extends from Memel to Brest, and from Brest to Cadiz; which, in addition to this, comprehends nearly the complete circuit of the Mediterranean, the Adriatic, and the Archipelago. We also have to bear in mind, that seven or eight hundred miles of this coast run in a parallel direction with Great Britain, and that nearly as much more is most conveniently situated for the invasion of Ireland. When we have duly weighed these observations, let us next examine how many fishing-towns this length of coast contains; and then let us calculate how many fishermen these towns may provide. Buonaparte's ships of war keep, for the present, to their harbours; and the commercial ships of France have been, long since, driven from the seas. It is thus, in fishing boats alone, that his subjects can have an opportunity

of exercising their skill, or of adding to their experience as sailors. And when we recollect what a hardy race fishermen usually are, how adventurous in fronting danger, and how expert in avoiding it, we must admit the policy of obliging them to recede from the coast, and to abandon their occupations. We know that Buonaparte's most ardent wish is to rival us as a maritime power, by which alone he can ever hope to realize the schemes of his atrocious ambition. We know that, in this view, he is building ships in every harbour which is adapted to the purpose; and that the moment they are launched he can, by a despotic ordinance, compel every one of these fishermen to assist in their navigation. We are bound, therefore, no longer to regard this race of people as inoffensive villagers, gaining a livelihood by their harmless industry, and furnishing with a cheap and wholesome food a beggared and famished population; but as a valuable fund of intrepid warriors, who may one day be disputing with us the empire of the ocean.

Having thus discussed the policy of the measure, I shall now take into consideration the charge of immorality, which has been so gravely alleged against a departure from the ancient usages of the world. Instead, however, of admitting it to be a breach of morality, instead of bowing to any one of those objections which have been started, I contend that it is one of our highest obligations, that it is one of our duties most consistent with the grand interests of humanity, and with the immutable principles of universal justice, so to act.

If a man approach me with a declared determination to destroy me, am I to decline the use of a destructive weapon in my defence, lest, by killing him, I should commit murder? When the interposition of the law can save me, it is, undoubtedly, my duty to apply to it for protection; but when, by being pushed to extremities, there is no time for its interference, I must take my cause into my own hands, and defend myself as well as I can. If this reasoning hold good in the case of an in-

dividual, it surely is infinitely stronger as it applies to the contemplation and direction of national concerns. I hope that I feel for the cause of humanity as deeply, and lament its sufferings as sincerely, as any of those advocates who make such a womanish and ill-timed publication of their emotions. But I look to the welfare of nations more than to the misfortunes of individuals, and I am not to be deterred from the recommendation of a measure which I am convinced will contribute to the general advantage of my country, because it may occasion some few examples of particular distress. When I have only to consider the insulated case of an individual, I am bound to do strict justice to that individual: but when I have to consider the case of the public, individuals, merely as individuals, must be banished from my thoughts. The whole superstructure of all wise and just government must repose on this basis.

The crimes of mankind require restraint, and, in the common concerns of life, it is frequently necessary, for the sake of ex-

ample, to inflict a severity of punishment which we should otherwise be most desirous to relax. If we cannot, in the management of human affairs, act up to ideal perfection, we must approach as near to it as circumstances will admit. But, in our practice, circumstances must determine our conduct. However, therefore, we may be attached to the doctrines of public law; however readily we may acknowlege their justice and utility; yet, if we find ourselves engaged in a most perilous and desperate contest, with an enemy who totally rejects their authority, it cannot be expected that we should implicitly submit to their controul; because, if we did, we should devote ourselves to inevitable destruction. We may lament the departure, but we have no choice. With us it is a measure of uncontrollable necessity, and he who is the cause of it, is evidently responsible for its consequences. If then our enemy refuse to recognise the long-established principles of national law, we, as opposed to him, are immediately released from their observance. If this enemy compel other states to follow his

footsteps, we are also released, as opposed to those states. These are axioms which require no elucidation, and to which, the moment they are propounded, every one must assent. It is now necessary that we should consider the peculiar situation of neutrals.

According to my conception, neutrality implies, that all nations, so defining themselves, are bound to act with strict impartiality towards belligerents; that is to say, are bound to conduct themselves towards the respective countries at war, exactly in the same manner as they did previously to war. Their rights cannot be extended by the unfortunate situation of the conflicting parties. If neutrals, therefore, had no right to trade with the colonies of our enemies before hostilities commenced, that hostile state cannot, of itself, invest them with that right. Consequently we, the moment we discover its assumption to be in any way injurious to our interests, are warranted in prohibiting its exercise. This we are empowered to do, according to the old doctrines of na-

tional law, as they have long been recognised and practised by all maritime states, and as they are universally laid down by the most eminent publicists of modern times. Thus far we have, all along, been authorized to go. But if a *new* state of things arise, for which *old* regulations are inefficient, we must ordain *new* regulations which are more applicable to the change of circumstances. This is the natural progress of all law. Before an aggression has been made, or an inconvenience felt, the process which may be necessary to prevent or controul it, is not likely to be defined. We should in vain search the statute-book for the punishment of a crime which has never been committed.

Thus, when we find ourselves, in the relation which we bear to the rest of Europe, placed in a situation which our history never before exhibited, it is not to be expected that past occurrences should afford rules and precedents for the regulation of our present conduct. We must bend to existing circumstances, and be governed by their impulsive direction,

When, therefore, we perceive that we are engaged, in no ordinary war, with a powerful and perfidious foe, who conquers as much by the terror of his ordinances as by the force of his arms; who, at the same time, conquers by diplomatic corruption and intrigue, by secret imprisonment, by torture, and assassination, as well as by open assault; by the execution of his barbarous denunciations, as well as by the propagation of his infamous falsehoods; and whose chief aim in conquest, is to elevate himself on the pinnacle of human grandeur, that he may subject the whole earth to the dominion of his destroying sword; that he may every where establish an unrelenting military despotism; and that he may crumble into one undistinguishable heap of rubbish the stately piles of political and civil liberty, and the venerable temples of moral and religious virtue; it surely becomes in us a most sacred and indispensable duty to ward off, by any means with which God and nature have blessed us, the dreadful dispensations of such a destiny. If to avert such deplorable calamities *old modes*

be incompetent, we must adopt *new modes*; if *gentle measures* be inadequate, we must resort to *rigorous measures:* at all events, we must endeavour to avert them.

Are we then, after so long an experiment of forbearance; after the practice of the mildest moderation for fifteen years, an over-scrupulous adherence to which has so infinitely strengthened the great adversary of human kind, to be fearful of resuming our rights? Or should that resumption be insufficient, which under present circumstances I contend it would be, are we to hesitate about proceeding a few steps beyond those limits, which custom and law have already authorized, and within which, the moment the necessity ceased, we should be most happy to return? Ought we to be deterred from this reasonable act of self-defence, because, forsooth, neutrals, who, for a protracted course of years, have been immoderately enriching themselves at our expence, would sustain some trifling additional inconvenience? We have long been fighting not only for ourselves, but for the freedom of Europe, and for the great inte-

rests of mankind all over the world. Our sacrifices to sustain other states have been far from inconsiderable; and if they had not basely deserted their own cause, and retreated like dastards from the field, they would not, at this moment, be groaning under the ponderous chains of the meanest and most sanguinary despot that ever trampled on the pusillanimity of animate creation. And if these neutrals, whom, some insist, we should nurse with so much tender dotage, had possessed a sentiment of manly feeling, they would, long since, have ranged themselves under our sacred banners, and have cordially united with us in this holy warfare. Had they been actuated by the nobler dispositions of our nature, they would, long since, have voluntarily foregone the sordid profits of their mercenary and mendacious contrivances to elude and cheat us. But if they are so dead to the loftier sensations of humanity; if they are so deaf to the prophetic invocations of honour and of glory, we must, at least, place them in a negative position. If they are not to be incited to duty, we must, at least, incapacitate them

from impeding our nobler and more generous views. The losses and inconveniences to which they may be exposed, beyond what they would suffer from the exercise of our rights, according to ancient usage, cannot be very serious; indeed, by the facilities which it would be our interest to grant them in other ways, the balance might be more than restored: nor could we, at all events, deprive them, in a long course of years, of a tythe of the profits which they have reaped from previous indulgence. But were their grievances an hundred times more extensive, such a dreadful necessity as the present existing, it would still be our most incontrovertible and imperative duty to persist. Let me, before I conclude, just put one plain question, by way of further illustration. If Buonaparte were to prevail over this country, can the most bigotted supporter of the system of effeminate moderation conceive, even during the wildest paroxisms of his fancy, that, in six months, there would be a neutral nation upon earth? We are, therefore, contending for their existence as well as for our own, and

ultimately for their rights. We shall only be suspending regulations for the eventual preservation of the old order of things, the full operation of which it would be our happiness and glory to reinstate, and which, if we unfortunately fail, will be doomed to inevitable and irremediable extinction.

Much groundless clamour has been excited against the government, in consequence of that part of the late proclamation* which disavows the right of searching national ships belonging to friendly powers, it having been imagined, that we have conceded an exclusive privilege, which maritime states had hitherto allowed us, and which we had long been in the habit of exercising. This clamour has proceeded from a natural and a laudable feeling, viz. from a jealousy of any dereliction of our naval rights. But the question has been totally misapprehended, which a very little explanation will shew.

* See Proclamation, dated Queen's Palace, Oct. 16, 1807.

It is an invariable, and universally admitted maxim of public law, that, as long as nations continue at peace with each other, they are bound not only to refrain from aggression against their respective territories, but to hold inviolable their respective flags, which are the representatives of their independence at sea. The distinction between a ship of war and a merchant ship, is this, that a ship of war is a part of the sovereign power, and a merchant ship is not. They consequently have distinct offices and distinct rights: but they are in no shape, on an equality. The one carries within its precincts a component part of the sovereignty and independence of the state, to which the other can have no possible pretension. It is this property which authorizes the one to bring to, and examine the other at pleasure, a right which is entirely derived from its character, not from its strength. If a vessel, bearing the flag of the state, be ever so small, holding a commission from the sovereign power of which that flag is the token, the deck from which it is displayed, is to be considered as independent of all foreign jurisdiction

and controul as the territory of the state itself. No other ship can search her, or detain her, or even board her against her consent, without committing an open act of hostility, and as direct a violation of her rights, as if there had been an actual invasion of territorial dominion. If a dispute arise on any point whatever, a claim may no doubt be preferred, but it cannot be enforced, by an individual; and, if not amicably adjusted, the ultimate decision must be referred to his government. In like manner, if two friendly powers, whose dominions are contiguous, have each a fortress on their respective frontier, and part of the garrison desert from one post to the other, the commandant who has lost his men, may certainly demand their restoration; but, should that be refused, he can have no right, of his own free will, to invest the fort, and to endeavour to recover them by force. His duty evidently is to transmit a representation of the injury to his government, and to abide by its directions. If it were otherwise, it would be in the power of any individual to convert a trivial injury into an unpardonable of-

fence, and, whenever he thought fit, to involve his country in war.

We have indeed, at different periods of our history, before the law of nations, as to maritime rights, was properly defined or understood, laid claim to various exclusive privileges, particularly in the time of Cromwell, and during one part of the reign of William III. In remoter times, when a great part of France was annexed to our empire, we assumed a despotic maritime sovereignty, which our power was generally able to enforce, but which was founded on no principles of real justice, and which was regularly resisted by every nation which felt, and could maintain its independence. It would far surpass the bounds of a work of this kind, to go into the history of this celebrated question. Among other pretensions however, that of searching national ships was contended for, and till the time of Charles II. it actually formed a part of the instructions to our naval commanders. But it was never acquiesced in by other powers, and it was, at length, found by us, to be so unjust in

its principle, and so inconvenient in its practice, that it was tacitly renounced. Since that period it has never been revived, except in a few desultory instances, none of which have been authorized by the government.* So far as to the principle. With regard to the practice, if we reflect for a moment, we shall at once perceive its great hardship on others, and its trifling importance to ourselves. If we acknowledge the independence of neutrals, their public rights, generally speaking, must be placed on an equality with our own. Thus, if we insist on searching their national ships, we are bound to allow them the same privilege, unless there be some particular motive, of a very cogent nature, for the refusal. Now with regard to the Americans, we, possessing an hundred ships of war for every one of that description in

* This pretension, which was originally started in very old times, was first abandoned in 1677. About ten years afterwards, James II. attempted to revive it, but it was finally dropped by King William. Since then, which is now above a century ago, it has formed no part of the instructions to our navy, nor has it been ever claimed by any solemn or recorded act.

their service, surely cannot plead any reason of sufficient weight to justify the exception in our favour. And, if we allow the right to be reciprocal, the exercise of it would be considerably to our disadvantage, and would expose us to a very serious additional proportion of molestation. Besides, when we consider, how irritating and vexatious would be the demand on either side, how sensitive power is, and how easily provoked to resistance, we must be aware how frequently it might be attended with bloodshed. It is, therefore, no less consonant with interest than with reason, mutually to relinquish the claim. Even if it had been, on our part, an established right, we could now abandon it with credit, as, from the great disparity between the strength of this country and that of America, there could be no possible chance of our incurring the reproach of timidity. From this spontaneous abandonment of a claim, which we could not be justified in asserting, it must not, however, be inferred, that we have conceded any privilege to which we have a warrantable title. Our dispute with America, and the

causes of that dispute, cannot be in the least affected by the agitation or settlement of an extraneous and accidental occurrence. The question respecting our undoubted right to demand, and to recover British-born subjects in the employ of neutrals, is precisely where it was; nor do we admit of any pretension whatever, on their part, to seduce our seamen from their allegiance to their native land, or to detain them, against our will, in their commercial or national service. But such conduct being legitimate cause of war (should redress on application be denied) we very properly take the adjudication of the injury out of the hands of an individual, who, in all probability, would determine it according to the impulse of momentary feeling, and in whom, without the authority of the supreme powers of the state, it could never naturally nor legally vest, and we place it in the hands of the government, which is the sole tribunal competent to decide on questions of that momentous import.

Nor let it be said, that I am arguing

against my own principles, in order to support the administration in a measure which seems to contradict them. My chief aim, in the foregoing pages, has been to demonstrate the absolute necessity of an immediate and rigorous resumption of our established rights; and also, to point out what, in my opinion, under the present critical circumstances of the world, would be a justification of their extension. But whilst I recommend a *vigour beyond the law*, in cases in which that vigour is dictated by imperious necessity, I also recommend the observance of mildness and conciliation, when it is not likely to be attended with prejudicial effects. In the case before us, that extreme necessity is far from apparent. In this instance, we recede from no ancient right, nor is it requisite that we should establish any new one. The right of searching merchant ships, which we always possessed, we still retain. The right of searching national ships, which we once claimed, but which was never recognized, and which the government has, in point of practice, for above a century, abandoned, we have now,

in consequence of an accidental circumstance, which has revived its discussion, been induced formally to disclaim. British seamen, harboured in American merchantmen, may be numerous, and them we can claim, and take by prescriptive and natural right, without risk of contest, and without committing any offence against national honour. Deserters, sheltered by American ships of war, must, from the pitiful weakness of the American navy, be few; and these we can also claim, in the expectation of their voluntary surrender. But, unless thus given up, we do not permit, on the summary requisition of an individual, an attempt to recover them by force, which could not be executed without an open violation of the independence of the state to which she belongs, and consequently without incurring the risk of instant contention, and of eventual hostility between the two countries. The detriment, generally speaking, can be, surely, neither worthy of the immediate strife, nor of the ultimate hazard; and it is evidently becoming the dignity of all states, acknowledged as independent, to refer casual

complaints, which involve essential interests, to their respective governments, by which alone they are likely to be investigated with sobriety, and settled according to their intrinsic merits.*

* The right of claiming British subjects, who may have engaged in the service of neutrals, or have taken refuge on board their national ships, is perfectly clear and incontrovertible. Should a formal demand of their restoration be made, and rejected, there is indisputably fair cause for war against the offending party, and the government would be justified in instantly issuing instructions to naval commanders to recover them by force. But until that order be given, no individual can be warranted in having recourse to violence. The proclamation is, therefore, under all points of view, correct. What our cabinet may ultimately think fit to do, must depend on the circumstances as they are laid before them. If the Americans insist on any right to detain our seamen in their service, it is evidently our business to go to war, to resist such a pretension; because then, it becomes a point of honour in the first instance independently of all injury, and, if once established as a principle, might, in an ulterior point of view, lead to very prejudicial consequences. If, however, it be a case merely of an accidental nature, which this apparently is, it may, on both sides, be easily explained and repaired. As the maritime strength of the world is at present disposed, it is more for our interest, if it can be done without any sacrifice of honour or right, to either of which, I am satisfied, the present

Thus, whilst the ready abandonment of all pretensions to search neutral ships of war evinces, on the part of our government, a rigid regard to impartial justice, when no countervailing duty interferes to impede that inclination, it betrays no disposition whatever to surrender ancient

government will never submit, that it should be amicably settled. Our great object, after all, must be to put a complete end to all neutral commerce, which, either directly or indirectly, assists France. For this I have chiefly contended. And when we consider the insolent, unjust, and outrageous conduct of France towards this country, we are clearly justified in the adoption of any measures, whether authorized by custom or not, to invalidate her views. We have but one enemy to contend with, or to fear. That enemy seeks the accomplishment of his purpose, which is our destruction, by *any means*. We must, therefore, seek to defeat that accomplishment by *those means* which are most likely to insure our success. And this we can evidently do, without in the least participating in his guilt. It is, on our part, not an act of free-will, but of compulsion. The evident distinction is this. He departs from *all rules*, and proceeds to *all extremities*, without necessity; we only depart from *those rules*, and proceed to *those extremities*, which are indispensable to our preservation. And if this be not our duty, nothing can be our duty, which tends to promote or secure civil liberty, domestic happiness, or political independence.

and incontrovertible rights. The expedition to Zealand, indeed, not only removes any such fear, but it affords an adequate pledge that they will venture beyond the literal construction of such rights, whenever the safety of the country is endangered, and the necessity of the case is sufficiently urgent to justify the deviation. Notwithstanding all that has been advanced, by misconception on one side, and by party animosity on the other, I maintain, that both these measures are the result of a steady, wise, dignified, and consistent plan; that, instead of diminishing, they ought materially to increase our confidence in the exertions of the present government; and that they evince a firmness which is resolved to act up to the discharge of duty, unmoved by the ephemeral breath of popular censure or applause.

In our conduct towards Copenhagen, we have, indeed, been reproached, by a small but active and vociferous faction, with following the exact footsteps of Buonaparte. I have, I hope, already explained this measure sufficiently to satisfy every

unprejudiced mind; and such malignant aspersions we shall, I trust, ever treat with the disdain which they deserve.* We may be impelled to the adoption of a harsh or even a violent measure, for the just at-

* It must be highly gratifying to every one who feels an interest in the honour of the British character to learn, that, on the evacuation of Zealand by our army, general Peymann sent two letters to lord Cathcart, expressive, not only of his approbation, but of his astonishment, at the rigid discipline which had been every where preserved. A great many of our troops were, from necessity, stationed in the palace and gardens belonging to his Danish majesty at Fredericksberg; but such was *their* complete good conduct, that not a picture nor a piece of furniture was in the least injured, nor was a tree in the gardens mutilated. Even the inhabitants of Copenhagen, both civil and military, were so thoroughly satisfied with the behaviour both of our officers and men, that before they separated, the greatest harmony prevailed. Let the opponents of government, who have so malignantly endeavoured to defame their country, compare this with the progress of Buonaparte's arms. Let them recollect the excesses of his troops in every quarter. Let them particularly recollect the contributions which were levied at Hamburgh, and the horrors which were committed at Lubeck, and let them no longer disgrace themselves by attempting to assimilate the principles or acts of British policy with those of France.

tainment of a grand political object, in resisting and frustrating the designs of a base and infuriated foe; but, our object secured, we shall commit no unnecessary aggression, for the gratification of sordid avarice, or unprincipled revenge. We shall never, I feel confident, act with cruelty towards other states, merely because they are unable to resist us; nor shall we ever make power, separated from other considerations, constitute right. This would be a barbarous exertion of brutal strength, which is totally foreign to British ideas; which would reflect an indelible stigma on the hitherto untarnished honour of the country; and which would assimilate us in character with the profligate despot of France.

THE END.

London, Nov. 4, 1807.

T. Gillet, Printer, Wild-court.

Third Edition, corrected and greatly enlarged,

Price 3s.

PLAIN FACTS;

OR, A

REVIEW OF THE CONDUCT OF THE LATE MINISTERS.

TO WHICH IS ADDED,

A POSTSCRIPT.

By the Author of the Preceding.

PRINTED FOR JOHN JOSEPH STOCKDALE, 41, PALL-MALL.

TO THE

COMMISSIONERS

OF

TURNPIKE-ROADS.

LONDON;

PRINTED BY J. BARFIELD, WARDOUR STREET,

Printer to His Royal Highness the Prince of Wales.

1807.

TO THE

COMMISSIONERS,

&c. &c.

IT must be admitted, that any plan which will render travelling more pleasant and agreeable, is worthy of your attentive consideration; and if it can be proved to you that it is likely to lessen the expense ultimately, to make the road more safe, and to benefit the poor of the neighbouring parishes, you will not, I am sure, suffer prejudice to prevent its adoption. The plan I have to propose, will, I think, embrace all the above advan-

tages; and therefore, without farther preamble, I submit it to your consideration.

Travelling upon the road between London and High Wycomb, but especially between Uxbridge and London, I was struck most forcibly with the numerous gangs of labourers who were working upon the road; and I could not help calculating the number of useless miles they must daily walk, and the number of hours so lost, which might be more beneficially employed. It struck me, that it would answer to erect small cottages, where the mile stones now are, for the use of labourers upon the road: and in front of the cottage write up the number of miles from London or else-

where: a labourer living in one of these cottages, to have the care of the road half way to the cottage each side of him; the next cottager the same, and so on. Each man's house will be in the centre of his work, so that himself and his tools will be always at hand: this man to be continually employed paring up the sides of the road; filling in hollows; letting the water out of the road; scraping up the slush, and in dry weather scrape up dust, and screen it by keeping the dust well scraped up, it will make the roads run much easier and pleasanter; and when wet comes, the slush will be much less, and the roads not run so stiff.

In regard to the men employed,

every man's work will speak for itself, as the surveyor will see whether each man has done justice to his allotted distance; if not, discharge him, and put another in his place, by which means you will soon get a regular set of men. Near London, Where two men is employed on one mile, each man to have the care of his half mile, that one man may not be blamed for the neglect of another.

As the surveyor will have no occasion for foremen to see the men to their work, he will only have to ride through his district to see the work is done.

A good footway would be very desirable, which is very seldom to be found, except near large towns.

The cottages, or mile-houses, to be built all alike, as travellers may know it is a mile-house before they come directly to them: by finding your men in houses, of course you give them less wages, as you deduct part for rent. The road-men to be taken in the parish the mile-house stands in, or at least have the preference, if such are to be found; each man to be allowed proper tools, and to have them numbered the same as his mile-house.

I should suppose the greater part of these road or mile-houses may be built on the waste ground by the road-side, and have a small garden at each end of the house, to prevent any nuisance against it; and a small

yard behind for any litter they may have, that the front may be kept clean and neat.

The men being distributed on the road this way, will be a great safety to travellers; and more particularly so, if the magistrates will give them instructions to make observations on any suspicious persons they may see on the road, and those persons being brought to justice, the men to be rewarded accordingly. In case of accidents on the road, they will be ready to give assistance.

As the extremity of their work will be but half a mile from the house, neither will their be any loss of time going to their work, meals, or to

change their tools, as their work may require.

The plan here produced for a mile-house, appears to be one that can be built at as small an expense as any that will be suitable to answer the purpose, and the mile-stone fixed as per plan, which will be very convenient to be seen, and sufficiently out of reach to prevent its being defaced, as mile-stones so generally are. By way of example, suppose a mile-house is built upon Turnham Green, which is five miles on the Bath road, as that mile-stone stands on the Green in the county of Middlesex, and in the parish of Chiswick, the first line the county, the second the parish, the third the village or town,

if it so happens to stand in one, if not, the county, parish, and miles. Suppose a village or town to stand between two mile-houses, as, for instance, Hounslow does, let the name be, on each mile-stone, marked ☞ Town ☜ the traveller coming either way will know what place he is coming to

I have for many years made use of the artificial stone, and find it answer so well, I have had an inscription stone made of it as per pattern on plate, for the inspection of such Gentlemen as may see the utility of the undertaking.

I likewise have had made a stone ball to fix on the top of the house, to give

notice you are coming to a mile-house, as you will not see the inscription stone till you are nearly opposite it. Those who have travelled the Bath road, will agree in the pleasure derivable to the traveller from knowing where he is. Had this plan been adopted previous to the murder of Mr. Steel, it is presumable that he would now have been living to have nurtured and supported his children.

There are many other advantages which travellers will reap from the above plan, which must naturally occur, Gentlemen, to you, and which are consequently unnecessary to be stated here. The benefit which the parishes will derive from the plan are also manifold: the foremost of them

is, that the house will be a comfortable asylum to the industrious labourer, and render it unnecessary for the parish to provide a place of residence for him and his family.

It is lamentable to perceive the decrease of cottages in villages: to so great a pitch has this evil arisen, that it is too notorious to require proof, that in many villages the parish houses are crouded, because there are not cottages enough to hold the poor inhabitants. The mile-houses would greatly benefit the parishes and the poor in this respect.

It remains for me now, only to prove my first proposition, viz. that my plan will ultimately lessen the

expence of the trust. I know not that there can be a better plan for a mile-house, than the one I have the honor to inclose: but if there can be, believe me I am not wedded to my own, as I have no object in view but to benefit the public. The expense of building ten of these mile-houses will be one hundred pounds, or thereabouts, each; the labourer will gladly pay one shilling a week for the rent of them, and supposing that you save only one man in ten miles, whose wages was ten shillings per week, you will receive full five per cent. for the money so laid out; but it is manifest that you must save more than two men in ten miles, and consequently it follows that the Trust will be considerable gainers by my plan.

The propositions that I have taken the liberty of offering to you, I think you will agree with me have been fully demonstrated; and in taking the plan into your most serious consideration, you will oblige the Public, as well as

GENTLEMEN,

Your most obedient servant,

HENRY DAWES.

Feb. 10, 1807.

No. 45, Brewer Street, Golden Square, London,
Where the Inscription Stone may be seen.

POSTCRIPT.

If the partition between the room, fuel, and tool-house be brick noggin, it will only want plaistering the inside the room, which will be much better than lath and plaister on both sides. For the road-man's name, an iron door-plate painted and wrote, and when necessary, it can be easily altered.

Fixtures necessary, as the house may not be damaged by change of tenants.

Kitchen—a small dresser with two drawers and three shelves; a 30-inch forest grate, with sliding cheeks.

Pantry—a small sink, and three shelves.

Bed-room—an 18-inch forest grate.

Tools necessary for the labourer to be furnished with, and for which he must be answerable—

Wheelbarrow,
Spade,
Shovel,
Pickaxe,
Scraper,
Screen.

J. BARFIELD, PRINTER, WARDOUR-STREET.

ANALYSIS

OF THE

THREE ORDERS OF COUNCIL,

Dated 11th November, 1807, viz.

1st. Order. For imposing the Restrictions of Blockade, and regulating the Navigation of the Sea, in consequence of it.

2nd Order. For permitting Importation and Exportation, in consequence of the Restrictions of Blockade.

3rd Order. Respecting Enemy's Ships Sold to Neutrals.

With the Explanations and Additions to the 1st Order by the FOUR SUPPLEMENTARY ORDERS OF COUNCIL, *dated 25th Nov. 1807, viz.*

1st Order. For fixing certain Periods when Notice and Information of the 1st Order of 11th Nov. 1807, shall be held and taken to have been received.

2nd Order. For prescribing certain Regulations, with respect to the Trade of this Kingdom, that were Notified in the 1st Order of 11th Nov. 1807, as intended to be made.

3rd Order. For prescribing certain Regulations with respect to the Trade of Gibraltar and Malta, that were Notified in the 1st Order of 11th Nov. 1807, as intended to be made.

4th Order. For amending the 1st Order of 11th Nov. 1807, in regard to Foreign Produce and Manufactures when on Board British Ships.

Also INSTRUCTIONS, dat. 18th Nov. 1807, to Commanders of Ships of War and Privateers, and to the Court of Admiralty, for carrying into Execution the 1st Order of Council of 11th Nov. 1807.

1st ADDITIONAL INSTRUCTION, dated 25th Nov. 1807.

2nd ADDITIONAL INSTRUCTION, dated 25th Nov. 1807.

INSTRUCTION, dated 25th Nov. 1807, respecting the Trade of Lubec, Prussia, and Portugal.

Published 3d December, 1807.

FIRST ORDER OF COUNCIL,

11th of November, 1807.

For imposing the Restrictions of Blockade, and regulating the Navigation of the Sea in consequence of it.

VESSELS AND CARGOES.	PORTS AND PLACES.
	Ports and Places subjected by this Order to the Restrictions of Blockade, viz.
Trade in Articles, the Produce or Manufacture of. ....., declared unlawful.	Ports and Places of France and her Allies.
Vessels trading from or to .... with all Goods on board —*Prize.*	.....of any other Country at War.
All Produce or Manufacture of.. unless (a) on board a British Ship,—*Prize.*	.....in Europe from which the British Flag is excluded.
	.....in Colonies belonging to the Enemy.
Except Vessels and Cargoes belonging to Countries in Europe or America, not subjected to the Restrictions of Blockade, and cleared out direct from or to.....	.....Countries, in Europe or America, not subjected to the Restrictions of Blockade, (to which such Vessels belong,) and the Enemy's Colonies,
or cleared out direct, conformably with the Free-Port Act, from or to.....	.....The British Free-Ports, and the Enemy's Colonies.
Except Vessels and Cargoes belonging to Countries not at War, and cleared out direct under the *Regulations* herein-after prescribed from.....	.....This Kingdom, Gibraltar or Malta.
.....or from	The Port of an Ally,
.....to	A Port specified in the Clearance.

(a) By the Supplementary Order, 25th Nov. 1807.

VESSELS AND CARGOES.	PORTS AND PLACES.
Except Vessels and Cargoes belonging to Countries not at War, coming from any	Port or Place in Europe, subjected to the Restrictions of Blockade,
destined and on a Voyage direct to some.....	Port or Place in Europe belonging to His Majesty.

(a) REGULATIONS prescribed for Vessels belonging to Countries not at War, proceeding from this Kingdom direct to the Ports specified in the Clearance.

Such Vessels may clear out with Goods the Produce or Manufacture of the King's Dominions, or with East-India Goods, or with Prize Goods, to ..... Also, with Articles of foreign Produce or Manufacture, under the King's Licence, to	Ports and Places in the Enemy's Colonies in the West Indies, or America, not in actual Blockade.
Also, with Goods, not being Naval or Military Stores, the Produce or Manufacture of this Kingdom, to ..... Also, with any Goods lawfully imported (only that foreign Sugar, Coffee, Wine, Brandy, Snuff, and Cotton, must have the King's Licence) to	Ports and Places specified in the Clearance, and not being in a State of actual Blockade.

No Vessel shall clear out from this Kingdom with the under-mentioned Goods to the under-mentioned Ports and Places, respectively, without having first duly entered, and landed them, viz.

Goods, that have been laden on board the Vessel importing them, after *notice* and *information* of this Order, to..	Ports or Places subjected to the Restrictions of Blockade.
Goods, the produce or manufacture of Countries, subjected to the Restrictions of Blockade, that have been laden on board the Vessel importing them after *notice* and *information*, to any.....	Ports or Places whatever.

(a) These Regulations are contained in the Second Supplementary Order of Council, 25th Nov. 1807.

VESSELS AND CARGOES.	PORTS AND PLACES.
Goods, that have been laden on board the Vessel importing them, in any Country subjected to the Restrictions of Blockade, after *notice* and *information*, to any.....	Ports or Places whatever.
Except, the whole Cargo is Flour, Meal, Grain, or any Articles, the produce of the Soil of some Country not subjected to the Restrictions of Blockade, such produce not being Cotton, imported in an unmanufactured state direct from such Country, in a Vessel of the Country.	
Such Vessels may clear out from....	Guernsey, Jersey, or Man,
with Articles, not being Naval or Military Stores, and being legally imported into those Islands direct from this Kingdom, to.....	Ports or Places under the Restrictions of Blockade, specified in the Clearance, and not in a State of actual Blockade.
No Vessel shall clear out from.....	Guernsey, Jersey, or Man,
with Articles imported into those Islands, from Places under the Restrictions of Blockade, except only to this Kingdom.	

(a) REGULATIONS prescribed for the Trade of Gibraltar and Malta with the Countries subjected to the Restrictions of Blockade.

From.....	Gibraltar and Malta.
Flour, Meal, Grain, Tobacco, and any other Article in an unmanufactured State, being the produce of a Country not subjected to the Restrictions of Blockade, (except Cotton, and Naval and Military Stores imported from the Country of their growth,) may, without being landed, be cleared out to....	Ports and Places not being in a State of actual Blockade.

(a) These Regulations are contained in the Third Supplementary Order, 25th November, 1807.

VESSELS AND CARGOES.	PORTS AND PLACES.
But Cotton, or any Article, not the Produce or Manufacture of this Kingdom, or not imported in a British Ship, or from this Kingdom direct, (except Fish) or which was laden, at the original Shipment, after the period of *notice* and *information*, may not be Exported, except to this Kingdom.	
All other Articles being the Produce or Manufacture of this Kingdom, or Imported into Gibraltar or Malta, in a British Ship, or from this Kingdom, and also Fish however Imported, may be Exported under Licences as herein-after mentioned, to	Ports or Places in the Mediterranean or Portugal.

Licences may be granted by the Governor, Lieutenant-Governor or other Person having the Chief Civil Command at Gibraltar or Malta, for Vessels to Export and Import, as follows:

.....From.....	Gibraltar,
.....direct to	Ports in the Mediterranean, or Portugal, or Spain without the Mediterranean, not farther North than Cape Finisterre;
.....From.....	Malta,
.....direct to	Ports within the Mediterranean
Articles the Produce or Manufacture of the King's Dominions, or, Articles imported into Gibraltar, or Malta, from this Kingdom, to whomsoever belonging (not being Naval or Military Stores), in Vessels belonging to Countries not at War, or in Vessels not exceeding 100 Tons burthen, and unarmed, belonging to Countries to which such Vessel shall be cleared out and going.	
Into	Gibraltar or Malta,
in Vessels as aforesaid, from.....	Ports within the Mediterranean.
Into	Gibraltar,
..... from.....	Ports in Portugal or Spain without the Mediterranean, not further North than Cape Finisterre,
(such Port and such Destination being specified in the Licence) any Articles of Merchandize whatsoever, and to whomsoever belonging, with a Bill of Lading.	

VESSELS AND CARGOES. PORTS AND PLACES.

Such Licences both for Export and Import to contain such Regulations, as shall from time to time seem fit to the Governor, Lieutenant Governor, &c.

Such Licences to contain the Names and Residence of the Parties, the Articles to be exported, the Name of the Vessel and Master, the Port to which the Vessel is to go; they are not to continue in force for more than Two Months, nor more than one Voyage; nor to be valid, if granted to a Port under actual Blockade.

The Commanders of the King's Ships are to permit such Vessels to pass and repass; and such Vessels, if brought in for adjudication, are to be released on proof of having conformed with the Terms of the Licence, which proof is to lie on the Person claiming the Benefit of it.

No Vessel belonging to any State on the Coast of Barbary shall be prevented from sailing with Articles the Growth or Produce of such State, from.....Ports or Places of any State on the Coast of Barbary,
to .....Ports or Places in the Mediterranean or Portugal, not being under actual Blockade, (a)
without being obliged to touch at Gibraltar, or Malta.

Ports or Places actually blockaded, Enemy's Property, and other causes of Capture, not expressed in this Order, to have their operation, as before.

Vessels commencing their Voyage prior to notice of this Order, are to be *warned* by British Commanders to discontinue their Voyage, and proceed to .....This Kingdom, Gibraltar, or Malta.

Vessels so warned; also
Vessels having had reasonable Time for *information* at the Place from whence they sailed; also
Vessels having had *notice* of this Order;

(a) Here ends the Third Supplementary Order of Council, 25th Nov. 1807.

VESSELS AND CARGOES.	PORTS AND PLACES.
All these, found in prosecution of their Voyage, contrary to the Directions of the Order—*Prize.*	
Vessels, after reasonable Time for receiving *Notice* of this Order, at the Port where they cleared out, found carrying Certificates of Origin, or any Document referring to, or authenticating the same—*Prize.*	

(a) Periods of NOTICE and INFORMATION of this Order.

Vessels sailing on or after the Days hereinafter mentioned, from the Places herein after mentioned respectively, shall be deemed to have received *Notice* and *Information* of this Order;

	Ports and Places within the Baltic—December 21, 1807.
	Other Ports and Places to the Northward of Amsterdam—December 11, 1807.
	From Amsterdam to Ushant—December 4, 1807.
	From Ushant to Cape Finisterre—December 8, 1807.
	From Cape Finisterre to Gibraltar, inclusive—December 13, 1807.
	Madeira—December 13, 1807.
	Ports and Places within the Streights of Gibraltar, to Sicily and Malta, and the West Coast of Italy, inclusive — January 1, 1808.
	All other Ports and Places in the Mediterranean beyond Sicily and Malta—January 20, 1808.
	Ports and Places beyond the Dardanelles—February 1, 1808.
	Any Part of the North and Western Coast of Africa, or the Islands adjacent, except Madeira—January 11, 1808.
	The United States, and British

(a) This is contained in the First Supplementary Order of Council, 25th November 1807.

VESSELS AND CARGOES.	PORTS AND PLACES.
	Possessions in North America and the West Indies—January 20, 1808.
	Cape of Good Hope, and East Coast of South America—March 1, 1808.
	India—May 1, 1808.
	China, and the Coast of South America—June 1, 1808.
Vessels Sailing within Twenty Days after the respective Days before-mentioned, which shall be detained as Prize, or shall arrive in this Kingdom, destined to some Port or Place within the Restrictions of this Order, and where proof shall be made to the satisfaction of the Court of Admiralty, if brought in as Prize, that the Loading had commenced before the assigned period, and before information of the Order had actually been received, such Vessels and Goods shall be restored and permitted to proceed, and no Proof shall be gone into, to shew that information had not been received at the respective periods before mentioned. (a)	

INSTRUCTIONS [b]

To Commanders of Ships of War, and Privateers, and to the Admiralty Court, for carrying into Execution the First Order of Council.

Vessels, not belonging to a Country subjected to the Restrictions of Blockade, are not to be prevented from carrying from.....Ports or Places of the Country, to which such Vessels belong, any Articles of Manufacture or Produce, not being Enemy's Property, to .....Ports or Places in this Kingdom.

Articles of British Manufacture (not Naval or Military Stores) to be restored by the Court of Admiralty on.....Whatever Voyage captured, and to whomsoever belonging.

(a) Here ends the First Supplementary Order of Council, 25th November 1807.

(b) These Instructions are dated 18th November, 1807.

VESSELS AND CARGOES.	PORTS AND PLACES.
Vessels subject to be *warned*, and not belonging to a Country subjected to the Restrictions of Blockade, proceeding direct to the Country to which they belong, shall be permitted to proceed to..	The Country to which they belong,
....If bound to any Port in America or the West-Indies (to which Port or Place they do not belong) and met near to America, or the West Indies, shall be permitted, at the choice of the Master, to proceed to	Halifax, or one of the Free Ports
....If met beyond the Equator, then to	in the West Indies ; St. Helena, the Cape of Good Hope,
....If bound to any Port or Place in Europe, then to ..... The Port chosen by the Master, and assigned, to be written on one or more of the principal Ship's Papers.	or the Island of Ceylon ; Gibraltar or Malta, or any Port in this Kingdom.

These Instructions are not to be considered as repealing or vacating the Instructions of 4th February, 1807, directing that neutral Vessels (not coming from a Port in a State of strict Blockade) laden with certain enumerated Articles, for some Port of this Kingdom, shall not be interrupted. (a)

(b) Vessels belonging to any State not at War, laden with Cargoes in this Kingdom, and clearing out according to law, shall not be interrupted in proceeding to ..... to whomsoever the Goods belong. Nor such Vessels in coming from... ..... direct to any..... Port of this Kingdom, with Goods for Importation, to whomsoever the Goods belong.

Any Port in Europe, except Ports notified to be in strict Blockade,

(c) Vessels coming with Goods for Importation in this Kingdom, detained and proceeded against, shall be immediately liberated, with the Goods, upon Bail to answer adjudication.

(d) Ports at which British Ships are allowed freely to Trade are to be considered as Neutral, and none others.

(a) Here end The Instructions dated 18th November 1807.
(b) Additional Instruction, 25th November 1807.
(c) Second Additional Instruction, to the Court of Admiralty, 25th November, 1807.

SECOND ORDER OF COUNCIL,

11th of November, 1807.

For permitting Importation and Exportation in consequence of the Restrictions of Blockade.

VESSELS AND CARGOES.	PORTS AND PLACES.
Goods included in the Schedule of Stat. 43 Geo. III. Ch. 68. may be imported into this Kingdom, in Ships belonging to any State in Amity, upon the respective Duties and Drawbacks, therein mentioned.	from .....Ports or Places belonging to any State not in Amity,
Goods within the Warehouseing Act, Stat. 43 Geo. III. Ch. 132, are to be subject to the Regulations of that Act.	
Goods prohibited, are to be reported for Exportation to any	..Country in Amity.
Vessels arriving in ..... in consequence of having been warned, or having received information of the First Order, subsequent to their having taken on board part of their Cargo, (whether previous or subsequent to their Sailing,) may report their Cargoes for Exportation, and proceed to their..... upon receiving a Certificate from the Collector or Comptroller testifying the above Facts ;— Also, may import, in the same manner, as if the Vessel had sailed after receiving notice of the First Order, and in conformity with it.	This Kingdom, Gibraltar, or Malta, Port of destination, (if not unlawful before the First Order,) or to a Port in Amity,

VESSELS AND CARGOES.	PORTS AND PLACES.
Vessels arriving in	This Kingdom, Gibraltar, or Malta,
in conformity to the First Order, may clear out to any Port whatever.	
Except that Sugar, Wine, Brandy, Snuff, and Tobacco must be exported under the King's Licence, to	Such Ports, and on such Conditions, as shall be therein directed.

THIRD ORDER OF COUNCIL,

11*th of November*, 1807.

Respecting Enemy's Ships sold to Neutrals.

Transfers and Sales of Vessels to Neutrals by an Enemy, after Hostilities, declared illegal.

Vessels now belonging, or hereafter belonging to the Enemy, notwithstanding Sale to a Neutral, after a reasonable time elapsed for receiving information of this Order at the Place of Sale, or pretended Sale, may be made *Prize*.

Education of the lower Orders.

A

SECOND LETTER

A

SECOND LETTER

TO

SAMUEL WHITBREAD, ESQ. M. P.

CONTAINING

OBSERVATIONS ON HIS BILL

FOR THE ESTABLISHMENT OF

PAROCHIAL SCHOOLS IN SOUTH BRITAIN,

&c.

Price Three Shillings and Sixpence.

VESSELS AND CARGOES.	PORTS AND PLACES.
Vessels arriving in	This Kingdom, Gibraltar, or Malta,
in conformity to the First Order,	
may clear out to any Port whatever.	

S. Gosnell, Printer, Little Queen Street.

Education of the lower Orders.

A

SECOND LETTER

TO

SAMUEL WHITBREAD, ESQ. M. P.

CONTAINING

OBSERVATIONS ON HIS BILL

FOR THE ESTABLISHMENT OF

PAROCHIAL SCHOOLS IN SOUTH BRITAIN:

ALSO

SUPPLEMENTARY OBSERVATIONS

ON THE

Religious Systems

MAINTAINED BY

THE MONTHLY AND CRITICAL REVIEWERS,

IN THEIR STRICTURES ON THE AUTHOR'S FIRST LETTER TO MR. WHITBREAD.

BY JOHN BOWLES, ESQ.

LONDON:

PRINTED FOR JOHN JOSEPH STOCKDALE, NO. 41, PALL MALL; AND SOLD ALSO BY F. C. AND J. RIVINGTONS, ST. PAUL'S CHURCHYARD.

1808.

LETT

&c.

LETTER,

&c.

SIR,

In the spring of the present year, I had the honour of addressing a letter to you, in consequence of the unqualified praise which you bestowed upon Mr. Lancaster's system of education, when you originally presented your plan for the amendment of the Poor Laws to the notice of the House of Commons. Since that time, you have, in pursuance of your general plan, brought forward a Bill for the establishment of parochial schools in this country. As on that occasion you took no further notice of Mr. Lancaster's system, I persuade myself that, upon mature consideration, you became satisfied of its tendency to endanger the established Church, and, indeed, the interests of Christianity in general*.

* It is satisfactory to find that, in a note added to a printed report of Mr. Whitbread's original speech on the subject of the Poor Laws, Mr. W. recognised the Rev. Dr. Bell as the real author of the mechanical, and indeed only valuable part of that system, by saying, that "to him the world are first indebted for one of the most useful discoveries which has ever been submitted to society." It should be remembered, however, that the merits of Dr. Bell, with regard to this plan, are not confined to

I cannot but consider it as a just cause for lamentation, that in a Bill, which had for its object the establishment of parochial schools for the education of the children of the poor, throughout the kingdom, and which has actually passed one branch of the Legislature, no provision seems to have been made for the education of those children in the

its discovery. That gentleman has reduced it to practice, with great success, first at Madras, and since in this country. His primary experiment of it here was made in the charity-school of the parish of Whitechapel, the salutary and beneficial effects of which are publicly attested in a Report from the Rector of that parish, and the other trustees of the school. The management and superintendence of the charity-school of Lambeth parish was then intrusted to Dr. Bell for the same purpose, and great exertions were there made to give full scope to his benevolent exertions. (See an extract of a Sermon on the Education of the Poor, preached at Lambeth, 28th June 1807, by the Rev. A. Bell, D. D. &c. &c. and dedicated to the Archbishop of Canterbury, the Rector of Lambeth, and the Treasurer and Subscribers to the Charity School.—Rivingtons.) He has lately been requested to direct his labours to the regulation of the Royal Military Asylum, at Chelsea, where, to use his own words, "the system at once took root, and grew up with a rapidity far beyond former example." (See the Supplementary Appendix to an "Analysis of an Experiment in Education made at Madras, by Dr. A. Bell."—Cadell and Davies.) In short, this indefatigable and disinterested labourer in the cause of Christianity, devotes himself to the establishment, in this country, of that admirable system of education, which he devised and reduced to practice in India, and has shewn himself ready to aid by his advice, and, as far as possible, by his exertions, any attempt to carry that system into effect in any part of the United Kingdom.

national Church. It will hardly be contended that the single enactment, which requires that "the person or persons" whom the churchwardens and overseers were to be authorized to "employ or contract with, to instruct the children, be approved by the minister of the parish," amounts to such a provision. If it were so intended, one cannot but be struck with the manifest disproportion between the means and the object. The minister of the parish having approved of the choice of a vestry, which in some instances he might be induced by various considerations to do, even though that choice had not fallen upon a member of the Church, his right of interference was to be at an end, and the whole business of education was to go on under "such rules and regulations" as "the churchwardens and overseers, with the consent of the major part of the parishioners or inhabitants, in vestry or other parish or public meeting, assembled," might "*think it expedient to adopt*." Thus if your Bill had passed into a law, it would not have been requisite for the teachers employed under it to be of the established Church, nor would they have been in any degree subject to the control, superintendence, or inspection, either of the minister of the parish, or of the Diocesan; but instead thereof, they must have observed such *rules and regulations* as would have been prescribed to them by that motley and fluctuating group—a parochial vestry; at which it is well known that every male inhabitant paying scot

and lot, of any religion or of no religion, has a voice.

In my former letter, I contended that with a view to the safety of the established Church, it should be the invariable principle of a national system of education, to bring up the youth who partake of its benefits in the national religion. It is to be feared, however, that there are many persons, who, feeling but little solicitude for the safety of the Church, are not alarmed by any symptoms of its danger. But if such persons would suffer themselves to reflect, they would find that they have a deeper interest than they are apt to suppose, in the security of this establishment. The true ground on which the Church claims the protection of the Legislature, is, not its own intrinsic and substantive excellence, but the alliance it has formed with the State—an alliance, the dissolution of which must prove fatal to the constitution. And it should not be forgotten, that the advantage of that alliance is by no means on the side of the Church, which, considered as a spiritual institution, is apt to receive from it somewhat of a secular alloy, extremely unfavourable to its spiritual perfection. But the State derives from the connexion benefits, which are at once unalloyed and inestimable. It is preserved thereby from that neglect of the public forms and exterior habits of devotion, which would lead to religious indifference, and thence to moral

depravity, with its inseparable attendant, social insecurity; it obtains a kind of consecration, which imparts dignity, purity, and vigour, to civil authority; and it is secured against those dreadful convulsions, to which, unless Religion cease almost to excite any interest, it must otherwise be exposed by religious differences.

One would think it impossible for any reflecting mind to avoid seeing, how greatly this alliance of the State with the Church conduces to the peace and order of society, by preserving it from the injurious effects which, if not prevented by religious apathy, would otherwise result from religious divisions. That such divisions tend to political disunion and weakness, is a truth most clearly pointed out by reason, and most wofully confirmed by experience. Happy, therefore, would it be for the State, if all its members were of one mind with regard to religious matters; if they all professed one faith, and united in one form of worship. Nothing could conduce more than such a coincidence to its domestic harmony, and consequently to its aggregate strength. But as so happy a coincidence is not likely to occur, the thing next to be desired is, that the national Church should be strong in the multitude of its adherents. The strength of that Church is the strength of its constitutional ally. The latter ought, therefore, for

its own sake, to use all fair and reasonable means, that is to say, all means that are consistent with the rights of conscience, which ought ever to be inviolate, to promote uniformity of worship, under the sacred auspices of its established Church. Among the most efficacious of such means is education, by the powerful influence of which the tender mind is generally impressed with those sentiments, that form the character, and maintain an ascendancy even to the close of life. As far, therefore, as the State interferes in this great concern, it should, with a view to its own quiet and security, make education subservient to the diffusion of the national religion. Nay, so desirable is it, in a political view, for the youth of the country to be brought up in that religion, that this object alone is of sufficient importance to induce its interference in the business of education, as far as may be consistent with parental rights. It is a fact but too notorious, that the lower classes in general are destitute both of inclination and ability, to give their offspring a suitable education; and without a suitable education, no individual can be properly qualified to sustain his character as a member of society, in that station which is allotted him by Providence. Surely a fair opportunity is hereby afforded, without the least encroachment on any right, an opportunity which it would be a reproach to the sense and feeling of our rulers to neglect, for the State to step in and supply so lamentable a deficiency,

and, by means of a national system of education, to bring up the children of such parents in the national Church; securing thereby, to its own establishment, the early respect and attachment of that part of the population, which might otherwise be left, without any religious instruction, to become the dupes and victims of fanaticism and fraud. Is it not astonishing, then, that a branch of the Legislature, when it was actually engaged in establishing a national system of education, for the children of the poor, should entirely overlook a matter of such high importance, and neglect to make any provision for educating those children in the national religion?

It is not, however, the only recommendation of a system of education founded upon the above principle, and directed to the above object, that it would conduce to the strength and stability of the national Church, and thereby to the quiet and security of the State. Such a system would be calculated, by means at once the most simple, and the most certain in their operation, to attain the true object of education, as recognised in your plan for the establishment of parochial schools, while it would be free from the dangers which evidently attend that plan, and an apprehension of which has rendered it generally unpopular. In the preamble of your Bill, it stands confessed that the true object of the education, or, as you term it, the

instruction of youth, is "the promotion of religion, morality, and virtue." The means by which you propose to pursue this object, are instruction in reading, writing, and arithmetic. You must not be displeased, Sir, if I confess that, notwithstanding the gravity and importance of the subject, I find it difficult to repress a smile, when I contemplate this strange association of ideas. You, Sir, have deeply considered the subject: you, doubtless, have traced, link by link, the chain of reasoning which connects the widely-distant terms of your proposition, that instruction in reading, writing, and arithmetic, tends to promote religion and morality. But you must not be surprised that such a proposition, bursting at once, without any demonstration or illustration, upon superficial minds, should produce a ludicrous effect. It is true, to the word instruction, the term "right" appears in your preamble to be prefixed. But as any six individuals may construe this term in as many different ways, it does not cast a very strong light upon the subject. It is also true, that in the course of the discussion which your Bill produced in the House of Commons, you and your friends seemed disposed to shew no quarter to those unfortunate understandings that could not discern a truth, which I conceive every one must allow to be far from self-evident. You contended that your system must necessarily produce the effects which were expected to result from it. One member is

reported to have asserted unreservedly, that such instruction as was intended to be given by the Bill, could not fail to promote morality and virtue; another, that the more instruction the people received, the more must their morals and their industry improve; and you yourself are said to have argued, that to teach them to read and write would enable them to appreciate, as they ought, the advantages of morality and virtue;—nay, you even inferred, that in the mind of one gentleman (Mr. Windham), enlightened as you declared it to be, there must be "a very dark spot," since it did not perceive the justness of these conclusions. At the risk, however, of incurring the reproach of complete intellectual darkness, I will venture to assert, not only that there does not necessarily exist any connection, between the kind of instruction which you propose to impart to the lower orders, and the practice of religion and virtue, but also, that much danger is to be apprehended lest such instruction prove injurious, in a fatal degree, to the true interests of religion and virtue. The education which, according to your plan, the Legislature was to provide for the poor, was *instruction in reading, writing, and arithmetic*; and in conformity with the principle which you maintained, and upon which your Bill is expressly founded, the desired effect, namely, the promotion of religion and virtue, was to follow as a necessary consequence. Now read-

ing and writing (to say nothing in this place of arithmetic), are in themselves mere arts, the utility of which depends solely on the application. They are the appropriate means for the acquisition and diffusion of science. But science, their proper object, even in its highest state of perfection, may be, and frequently is, unaccompanied with any regard for religion and virtue. The above arts are not, however, exclusively applied to the acquisition and diffusion of science. They are sometimes converted into engines of the most extensive and lasting mischief. They are not unfrequently employed in disturbing the order of civil society, in promoting anarchy and confusion, infidelity and vice. They are the ordinary methods of corrupting the principles, and inflaming the passions, of the rising generation. They are found to be most potent instruments to excite the lower orders to tumult and insurrection, by making them dissatisfied with the inferiority of their own lot, envious of that of their superiors, and impatient under the salutary restraints of law. That they are capable, by being applied to such base purposes, of endangering the happiest constitution that it has ever been the lot of humanity to experience, no one, who remembers the effects which were produced by the productions of Thomas Paine, can doubt.

It may perhaps be urged, in reply to these observations, that the possible abuse of any thing affords no solid argument against its use. To the justness of this remark I subscribe, but I deny its relevancy on the present occasion. I am not arguing against the right use of instruction, but I am exposing the error of those who, forgetting that it is capable of being abused, neglect to guard against its abuse; and who rashly maintain that it necessarily tends to promote religion and virtue. Such an hypothesis may be pleasing, but it is therefore the more dangerous, and may prove, in the end, a fatal error. Literary instruction, instead of necessarily promoting religion and virtue, may produce a contrary effect; and unless what has been here urged can be confuted, there exists much danger, lest it should so operate.

What, then, ought literary instruction to be withheld from those who occupy the lowest stations in society? I have not maintained, I do not mean to maintain that position. On the contrary, I consider such instruction as capable of being made most effectually conducive to religion and morality. But I complain that you have provided, neither the proper means to render it productive of such effects, nor the proper checks to guard against the abuse to which it is so obviously liable. Your plan, though a well meant, is a bungling measure. Its intention is excellent, its professed ob-

ject is most desirable; but it fails to supply the means which can alone enable it to answer its purpose; nay, the very means which it proposes are calculated, in the manner in which they are to be applied, to frustrate the design they are intended to promote.

It is truly astonishing that enlightened minds should fall into errors, which are at once so palpable and so dangerous, especially when a plain, a safe, and a direct path lay immediately before them. If, as you seem to be fully aware, the true object of education be to promote religion and morality, what can be so obvious as that, in order to effectuate this its design, a *religious education* should be bestowed? By such an education, if properly conducted, youth would be taught their duties to God and man. They would thus be guarded against the snares to which they must otherwise be exposed, in consequence even of the moderate degree of literary instruction of which they are susceptible. In thus neglecting to provide the means which are exclusively calculated to promote the end which you professedly had in view, you are shut out from all excuse, since those means were repeatedly pointed out to your notice, and pressed upon your consideration. One member (the Chancellor of the Exchequer) expressed his firm conviction, that by a *religious education* alone the people could be made good subjects, and their

happiness be established. And another member (Mr. Pole Carew) moved that the word *religious* should be inserted in the preamble of your Bill, before the word *instruction*. To this proposal you objected, on the ground that the word instruction, as applied to children, *implied*, in common acceptation, religious and moral instruction. This is an undoubted truth, but it is a truth of which you, Sir, are not entitled to avail yourself. On the contrary, it places the defectiveness of your system in a still more conspicuous view. That the word instruction, as applied to children, generally implies religious and moral instruction, is owing to the care which has been taken by those who have provided the means of education, that religious and moral instruction should be imparted. In your Bill, no such care appears to be taken, and therefore you are not entitled to the benefit of the implication, of which you endeavour to take advantage. Private education is to be considered as under the more immediate superintendence of parents; but those well-disposed persons who have founded public eleemosynary institutions, for the purpose of education, have considered religious instruction as a matter of too much importance to be left to chance, or to the discretion of those to whom the conduct of education might happen to be entrusted. They have, therefore, provided for such instruction, as a primary object, and have guarded, by fundamental regulations, against the

possibility of its being neglected. Shall the State, Sir, be the only patron that makes no provision for the religious instruction of those whom it educates? Shall the State—the order, quiet, and safety of which depend so much upon the prevalence of religious principles, and the consequent practice of religious duties—neglect the precautions which every private benefactor thinks it necessary to take, in order to insure the great object of education—religious and moral instruction?

If, indeed, there were no established religion in the country, it would be attended with considerable difficulty to incorporate religion with a system of national education; because, in that case, no one religious system could, for such a purpose, claim a preference over the rest. It was, apparently, a sense of this difficulty which led Mr. Joseph Lancaster, when he forgot the preference which, with a view to national education, was justly due to the established Church, to propose that generalizing system of religious instruction, which, in order to include in its support "all denominations of professing Christians," was to inculcate no religious opinions about which those denominations had differed, but only those in which they all agreed; a system which would obviously exclude instruction in any of the essentials of Christianity, and, consequently, in Christianity itself. Happily, however, no such difficulty exists

among us. We have an established religion which is founded on the revealed will of God, and which most studiously inculcates every Christian duty; a religion, of which it may truly be said, that there is no virtue which its members are not thereby instructed to practise, no vice which they are not thereby specifically admonished to avoid. How natural was it, when the Legislature was devising a plan for the education of the children of the lower classes, a plan, the avowed object of which was to promote religion and morality; how natural, I say, was it to make the inculcation of such a religion the distinguishing feature, or rather the operative principle of the measure! Nay, how astonishing is it, that the Commons of Great Britain in Parliament assembled, in passing a Bill for the above express purpose, should have overlooked a provision, so admirably and so obviously calculated for the attainment of the end which they had professedly in view!

It is not to be supposed, that any jealousy of the established Church, or any dread of extending its influence, could enter into the feelings of the House on such an occasion, or on any occasion. But it is possible that the fear of appearing illiberal, may have induced, in some minds, an unwillingness to give the Church even an apparent preference, lest they might be thereby suspected to pronounce, that other religious professions do not equally tend to re-

ligion and morality. If, indeed, considerations or feelings of this nature had any influence on the decision of the House, the case would afford a striking instance of the mischievous effects of that false liberality, which is so characteristic a feature of the times in which we live, and which tends so alarmingly to the unsettlement of all the institutions of society. The strength, and consequently the security, of those institutions, depend chiefly upon the attachment of the people who are interested in their preservation. But the attachments of the great mass of mankind, even to their most valued and most valuable establishments, are formed without reflection, and, indeed, are necessarily the result of education and habit; modern liberality, therefore, considers them as blind and servile prejudices, and as such attacks them with ridicule, and sentences them to disgrace. And as a sense of shame is one of the strongest impulses of which the human mind is susceptible, no sooner do these liberal feelings become prevalent, than mankind blush to support what, if it were attacked in any other way, they would defend with their lives. The intimidating influence of such feelings is not, however, confined to those who act from habit: it awes even those who are most accustomed to reflection, and who suffer themselves to be deterred, by the dread of being thought *illiberal*, from a manly avowal of principles which they have deliberately formed, and which, not long ago, they would

have most strenuously maintained. At length, for want of that zeal which is inspired by sympathy, the minds of all are brought to regard with apparent indifference, interests which formerly excited universal solicitude. Not only are the ties of ancient attachment relaxed, but opinion itself is set free upon all subjects whatsoever. Nothing is now to be taken for granted. "Every thing (as Mr. Burke observed) is to be discussed," as if even "the constitution of our country were to be always a subject rather of altercation than enjoyment." But if, in the discussions to which every thing is to be subjected, we would escape the laugh of ridicule, or the contemptuous sneer, we must be careful not to pay any respect to the opinions of our ancestors—we must beware how we slight the authority of that proud though fallible reason—infinitely more fallible because it is proud—which modern vanity and presumption have set up, as the court of appeal from the decisions of all past times. Already has a great change been thus produced among us; a change so great, that if the language of our forefathers be compared with that which is now current upon the discussion of any question of vital importance, it is difficult to believe that we are descended from such a stock, or that we are united to them by the bond of a common country. We find means, however, to solve this difficulty, by applying to ourselves the

term *enlightened,* and by plunging them into the tenebrosity of the dark ages. Perhaps, with the aid of a little more light, we shall discover that we are entitled to arrogate to ourselves the *exclusive* possession of wisdom, and to consign them henceforth to the regions of folly. I much fear, however, that, in the result, ancient folly will be found, beyond all comparison, preferable to modern wisdom. The former, under the direction of plain common sense, availing itself of the benefits of experience, and never losing sight of the essential properties of human nature, endeavoured, by practicable remedies, to correct positive evils, but most cautiously preserved whatever had been found excellent in the existing order of things; and thus, by slow degrees, it erected, on solid foundations, the noblest fabric of human felicity, that has appeared in any state of society since the creation of the world: the latter, on the contrary, preferring the dazzling blaze of brilliant *talents,* to the clear and steady light of common sense, estimating at a low rate, if not actually despising, the benefits of experience, and proudly conceiving that human nature has undergone some great and most advantageous change, rashly plunges into schemes of visionary improvement; and in the pursuit of imaginary good, the acquisition of which, as well as its value, when acquired, is doubtful, madly risks that which is already in possession, and the inestimable value of which is proved by actual and long-con-

tinued enjoyment. Thus are those venerable institutions which have been so long our boast, and which have made us the envy of the world, brought into the most imminent hazard. How long, under such circumstances, they are likely to last, is a question which deserves our most serious consideration. Assailed with all the energy which malice, vanity, and a rage for novelty and innovation, can supply, their outworks already gone, and themselves defended with indifference, languor, and pusillanimity, it requires no gift of prophecy to foretel that they must speedily fall, unless a very different mode of defence be adopted; unless, in short, that arrogant, but imposing, spirit of liberality, which so evidently constitutes their chief danger, be driven from our senates, and expelled from our hearts; unless we can subdue that vanity which makes us exalt ourselves, and despise the accumulated wisdom of ages: unless we can condescend to consult history and experience, and to borrow light from the dark ages of antiquity.

But to return from this digression—whether any other religious profession might conduce to sound religion and true morality, as well as that of the Church of England, was an inquiry altogether irrelevant when the Legislature of this country was endeavouring, by means of education, to make the people religious and moral. That Church, far from

having any reason to fear a comparison with any other professional form of Christianity, would find no difficulty in establishing its claims to superior excellence on its strict conformity, both in doctrine and discipline, with the Primitive Church *. But such comparisons would, on such an occasion, have been both unnecessary and unseasonable. It is conclusive upon the subject, that the religion of the Church is the *established religion of the country*. It is the religion of the State, and therefore, be it what it may, it is entitled to be maintained, supported, and inculcated, by the State. Other religions have a right only to toleration and protection. But this, so long as it is established, has exclusive claims to encouragement and patronage. If, indeed, the State do not inculcate its own religion, it cannot inculcate any. For it would be preposterous to expect it to give a preference to any other. The most *liberal* have not, I believe, carried their pretensions further, than that all religious denominations should be upon the same footing. Such liberality would, however, have the effect of preventing any provision whatever, by public authority, for religious instruction. And this, Sir, in whatever cause it origin-

* These claims have been asserted on the most solid grounds, in that valuable work, "The Guide to the Church;" a work, the reading of which ought to be considered as an essential part of a liberal education in this country.

ated, was the case which actually occurred, when your Bill for the education of the juvenile poor passed the House of Commons.

Perhaps, Sir, you may be disposed here to ask, whether the benefits of a national system of education should not be extended to the children of dissenters. Certainly the further those benefits are extended the better; but on this subject I think it necessary to be very explicit, lest it should still enter into your views, according to the scheme of Mr. Lancaster, merely to *enable youth to read their Bibles* *, and to teach them the "*general*,"

* The common expression of teaching or enabling youth to read their Bibles, is often used in so unqualified a manner, as apparently to imply that nothing more is necessary to a comprehension of the whole of the sacred volume, than the mere ability to peruse it. Such unguarded language has a most mischievous tendency, inasmuch as it leads illiterate and inconsiderate persons to trust too much to their own powers of discernment, in a case, where, of all others, it is most desirable to avoid error. We are told by the highest authority that in the Scriptures there "are some things hard to be understood, which they that are unlearned and unstable, wrest, as they do also the other Scriptures, to their own destruction." 2 Pet. iii. 16.—May it not be presumed that the obscurity in which it has pleased the *Fountain of Light* thus to leave some of the doctrinal passages of Scripture, was partly intended to teach us humility, and to attach us the more closely to that Church which was instituted, not only as a centre of unity, but also to assist its members in acquiring a competent knowledge of those truths which they are required to believe, and a belief

that is to say, according to Mr. L.'s use of the term, the *uncontroverted principles of Christianity*;

in which is made essential to their salvation? At the period of the reformation, that part of the Christian Church which is established in this country, having purified itself from the errors and superstitions of Popery, laboured most assiduously to make its faith, and, indeed, the whole of its worship, conformable to Scripture, and to the authentic model of the Primitive Church; and in this important work successive committees of bishops and other learned divines were long engaged. (See the Introduction to Mr. Reeves's edition of the Common Prayer.) Such a Church, although it has no pretensions to infallibility, may surely be looked up to with more confidence than the judgment of any individual whatever; and should it in any respect fall into error, those who are misled by it may reasonably hope to be free from that responsibility, to which every one must expose himself who rejects the aid which is placed within his reach, and of which the most intelligent minds stand in need, to assist them in understanding many passages of the Holy Scriptures. To collate, indeed, the various parts of Scripture, so as to form one consistent whole, requires more learning and more steady application, than, perhaps, any individual, has ever been able to command. How then should the illiterate be adequate to such a task? If a person of that description be asked the question which was put to one far from destitute (it must be presumed) of learning, "Understandest thou what thou readest?" surely he must answer, in like manner, "How can I, unless some man should guide me?" It is obvious, however, that nothing would so much facilitate the above-mentioned task as a strict adherence to that great canon of construction, which ought invariably to regulate the investigation of every literary composition; that all the parts of a work should, if possible, be so construed, as to make the whole consistent;

in order that the children both of churchmen and dissenters may, during the week, attend the parochial schools, and on the Sunday, with perfect consistency, accompany their parents to such places of worship as the latter may happen to frequent. The apparent liberality of this plan is admirably calculated to recommend it to the present age, but it is incompatible with any Christian system of religious instruction, and it would fail to make youth either good churchmen or good dissenters. If, in either of these characters, it be thought desirable to bring up the children of the poor as Christians, they must be taught the faith of some one or other of the various denominations of professing Christians, for else not one of those denominations can allow the religion taught them to be Christianity; and they should moreover be regularly trained for a suitable attendance on the forms of public worship, which are peculiar to that denomination to which they are to belong. For these purposes some precise system of religious instruction, according to the faith and worship of some particular class of Christians, must be *sui-*

and that, of course, when any part is susceptible of a twofold meaning, it should be taken in that sense which best makes it accord with the rest. It might easily be shewn that a judicious application of this rule to the texts which relate to controverted doctrines, would prove a powerful preservative from heresy, by affording a strong confirmation to the Faith which is usually denominated Orthodox.

formly pursued at the school which those children attend. It has, I trust, been satisfactorily proved, that in schools established by the nation, and supported at its charge, the national religion must be exclusively taught; and I confidently challenge the warmest advocate for liberality to controvert this proposition, or to maintain, with any appearance of reason, that the State should contribute to its own disunion, weakness, and, perhaps, dissolution, by inculcating any other religion than its own. If, therefore, dissenters would obtain for their children the benefit of an education in the national schools, they must remember that conformity to the plan of instruction there established, is (as I have elsewhere observed) the condition upon which alone that benefit can be obtained. It would, indeed, be most unreasonable for any individuals to expect a sacrifice, in their favour, of the principles upon which any public institution is founded; especially when, as in this instance, those principles have for their object the general welfare. And feeble, if not altogether spurious, would be the claims of any dissenter to liberality of sentiment, who would rather forego the wished-for advantage of a charitable education for his children, than see them become good members of such a Church as that which is established in this country. It ought not, however, to be forgotten, that the persons whose children stand in most need of a parochial education, are in general too indifferent on the

subject of religion to care what kind of religious instruction their offspring may receive, or to be at all anxious for their receiving any; and one great argument in favour of the establishment of parochial schools is, that without them a great part of our population would be brought up without any sense whatever of religion.

Enough, Sir, I trust, has been adduced to establish the principle, that whenever the Legislature provides for education, as a national concern, it ought to take especial care that the youth so educated be brought up in the national Church. But this principle is recommended by another consideration, to which, I conceive, you cannot fail to attach much importance. It is eminently calculated to favour the design which you have at heart, the establishment of a general system of education for the children of the poor, in those parts of the kingdom which are destitute of such an advantage; for it would obviate many of the prejudices, if prejudices they can be called, which operated so strongly against your plan of general education, and which had for their principal object, the danger attending the communication of literary instruction to the labouring class. A religious education undoubtedly requires a certain portion of literary instruction: but it provides, at the same time, the best possible security against the abuse to which that kind of instruction is exposed,

and which was not, in any respect, provided against by your late Bill. To bring up youth in the Church, they must certainly be taught to read, for otherwise they cannot be qualified properly to join in its public worship. But it is evidently unnecessary, for that purpose, to teach them writing and arithmetic: attainments, to the general communication of which, many persons have an insurmountable objection; apprehending, and as I think, justly, that they tend to elevate the views of the inferior orders above their sphere, and to indispose them for those humble but necessary labours, on the regular and cheerful performance of which both their happiness and their utility depend. It was, in part, a dread of such consequences, as attendant upon instruction in writing and arithmetic, which subjected your Bill to opposition from men of enlarged and enlightened minds. It is true, the art of reading, when bestowed on the lower ranks, is by no means free from danger. For it exposes their credulous and unsuspecting minds to the baneful influence of a licentious press. If, indeed, no productions issued from the press but such as are of a beneficial tendency, the communication of that art to every individual would be a positive, and, perhaps, an unqualified good. But does not every day's observation serve to convince us that the publications which are most widely diffused, and especially those which are most likely

to find their way into the hands of the labouring class, are more or less hostile to the establishments of the country, and calculated to weaken all the ties, religious, moral, and political, which constitute the very bonds of society? And do not those productions, on the contrary, which support the cause of religion, morality, and social order, experience such discouraging and chilling neglect, as, probably, to damp the ardour of many, who desire nothing more than to promote, in this way, the best interests of their country? This being the case, the art of reading, abstractedly considered, is a most dangerous present to those who occupy the lowest ranks in society; and it might have proved, under the form in which it was presented in your well-intentioned, but ill-constructed Bill, the source of irreparable mischief to the community.

That art, Sir, is a potent moral medicine, of delicate, and, without great caution, of very dangerous use; sanative, if applied with care and judgment, but deleterious if unskilfully administered. When employed as the means of qualifying youth for a devout and profitable attendance on public worship—of imparting to them religious and moral instruction—of enabling them to read the Holy Scriptures and the Book of Common Prayer, and of fixing in their memories, by means of the Catechism, a knowledge of the faith and practice of a Christian—and of thus grounding them betimes

in the principles of that religion, which teaches to the governors and the governed, to the learned and the ignorant, to high and low, their reciprocal duties—when so communicated, the art of reading is not only guarded, in the best possible way, against the abuses to which, in itself, it is liable, but it becomes a gift of inestimable value, a blessing so conducive to felicity and usefulness, that to see any of our fellow-creatures destitute of it, must fill the reflecting and benevolent mind with regret. It is, indeed, well calculated to excite our commiseration, to see any of the industrious poor shut out, through inability to read, from the perusal of the Holy Scriptures. Who would deny that interesting class of persons, so useful, so comfortable an occupation, for the little time they can spare from their daily labour? Who would refuse them so desirable a resource in the hour of sickness, so valuable a solace in declining years? I implore you, Sir, as you wish to promote the happiness of your fellow-creatures, and the welfare of the State of which you are a distinguished member, in case you resume this subject in Parliament, to bring it forward upon the principle which I have, with great humility, but with an earnestness proportioned to the magnitude of the object, submitted to your consideration; a principle, the adoption of which would, I persuade myself, greatly conduce to the success of your endeavours to extend the benefits of education to the

lower orders, and entitle you to the gratitude of the nation, and of posterity. I should even hope that you might thereby succeed in obtaining a compulsory law for the establishment of schools, wherever an adequate provision is not already made for the education of the poor *, and in requiring the attendance, at such schools, of all children who, through want of ability or inclination on the part of their parents, would otherwise go without education. The State has a deep interest in the moral character, and consequently in the education, of every one of its members. Its regard to its own preservation should impel it to provide, by national institutions, matured and

* It is justly and pointedly observed in a Letter addressed to the Hon. and Right Rev. the Lord Bishop of Durham, by Thomas Bernard, Esq. that it is impossible to discover in Mr. Whitbread's proposed Bill, "any reference to the present existence of any schools, or school endowments, in any part of the kingdom." Such an omission is surely very remarkable, considering the many excellent institutions for education, which abound in this country. In every plan for improvement, the first care should be to innovate no more than is absolutely necessary; and the first object, to improve whatever already exists that is really valuable. Feeling the full force of these prudential rules, Mr. Bernard most judiciously remarks, that with regard to the part of Mr. Whitbread's Bill which respects education, the first subject of consideration "should be whether, and how far, it gives an opportunity of making use of our present schools, so as to make them subservient to this national object, either under the direction of their present trustees, or under any other authority." P. 26.

guarded with all possible care and solicitude, for establishing betimes in the minds of those who occupy the inferior ranks of society, that awe of a future state of retribution, which affords the best security for their moral conduct. Miserable, indeed, for want of such provision, is the moral, and, by natural consequence, the physical condition of thousands, and tens of thousands, in this Christian, and, as we often boast, enlightened country.

Let me not, however, be supposed to contend that the art of reading, though communicated in the manner above recommended, would be fraught with no danger to the lower orders. It is, like every thing that is excellent, and in proportion to its excellence, liable to abuse. But when due care is taken to ensure the right use of what is in its nature beneficial, and to guard against its perversion, then and then only we are entitled to the benefit of the maxim, so often used without any title whatever, that the possible abuse of a thing, affords no solid argument against its use. Herein, Sir, consists, as I humbly conceive, the precise difference between that plan of education which was proposed by your Bill, and that to which I have taken the liberty of soliciting your attention. The former is founded upon the presumption, that literary instruction *necessarily* tends to promote religion and virtue, and it leaves to *chance* the production of the effect, which is allowed to be the

true object of education; but the latter provides the most effectual means for the production of that effect, by making instruction go hand in hand with the cultivation of religious and moral principles, and the formation of religious and moral habits and dispositions. The former provides no security whatever against the abuse to which literary instruction is exposed, especially where but a very scanty portion of it can be bestowed; by the latter youth would be fortified, in the best possible manner, not only against the snares with which the press so much abounds, but also against the assaults to which in every station of life, and especially in the present licentious state of manners, virtue is exposed. For it is a truth no less obvious than deplorable, that in consequence of the prodigious increase that has taken place in wealth, luxury, and dissipation, society now abounds more than ever in temptations to vice. So numerous, indeed, are those temptations, that the rising generation can have no chance of escaping them, unless they be well fortified by a religious and moral education, *before* the arrival of that perilous season of life, in which the beardless youth is, as the poet finely describes him,—

"Cereus in vitium flecti."

In a word, Sir, you have fallen into the error, too prevalent even among those who have the care of youth, that *instruction is education*; an error than

which it would be difficult to find a more copious source of human misery. Instruction is simply the means of imparting knowledge, which may be useful or injurious, as it is suitable or unsuitable to the condition and destination of the party receiving it; education actually prepares and qualifies youth for the stations which they are to occupy in society, and "makes provision for the future state." Instruction may not only be without education, but it may, on account of its unsuitableness, defeat the very purpose for which education is designed; but education includes all proper instruction, which it moreover applies to the right use, by superadding practice to precept, and by making the knowledge of duty subservient to its habitual performance.—By instruction the mind is informed, and the understanding enlarged; by education the heart also is cultivated, the manners, habits, and dispositions are properly moulded, and the whole man is trained up to virtue and usefulness: by instruction, in fine, the seed is sown, which, though good in itself, may be lost for want of meeting with a congenial soil—nay, it may be worse than lost, by occupying the room of other seed for which the spot is better calculated: by education the soil itself is cultured; the seed which it is best adapted to receive is thrown into it; the springing shoots are tended with care; the growing plants are nurtured, and preserved from noxious weeds, until

they attain that state of maturity which promises an abundant harvest. After all, the most promising crop may be blighted by mildew, or blasted by storm; and the best possible education, in like manner, is liable to be frustrated, and it may be succeeded by a life of vice and profligacy. But it would scarcely be more absurd to look for a rich harvest, where no seed has been sown, than to expect a religious and virtuous life, where the seed-time of youth has been suffered to pass without disseminating religious and moral principles; and although such principles may afterwards seem to be choked with vice, yet the education by which they were inculcated is scarcely ever without its use. When a sense of religion is impressed on the tender mind, it generally possesses, in some degree, a restraining influence throughout life. It impedes, though it cannot stop, the career of wickedness; it often preserves from the hopeless extremes of guilt; it frequently calls forth the reproaches of conscience, and, by their aid, renders the pursuit of evil courses irksome and painful; and sometimes, revived by an awful and extraordinary occurrence, which leads to reflection and contrition, it becomes the salutary means of reclaiming even those who are apparently quite hardened, provided their opportunities of becoming useful members of society, are not irretrievably lost.

It may, perhaps, be said, that the art of reading being soon and easily communicated, especially with the aid of those facilities which attend the plan invented by Dr. Bell, it will not occupy a sufficient portion of the time which may be beneficially allotted to the education of the lower orders. It ought, however, to be remembered, that it is not here proposed merely to teach the art of reading, but to make that art subservient to religious and moral instruction, and to religious and moral practice; in short, to an education in our excellent Church; and then, being accompanied with the perusal of the Holy Scriptures, the Book of Common Prayer, and those valuable religious tracts which are adapted to the capacity of children, and with which that Church so much abounds*, together with a frequent exercise of the memory in repeating the Catechism, it will be found to occupy a much larger portion of time than may at first be supposed. But care should be taken to prevent too much time from being spent even in such useful occupations, lest children be kept too long from acquiring habits of industry in those active pursuits, by which they are to provide for their subsistence; nay, lest they become disinclined to that manual labour, which is to be the chief employment

* See the Catalogue of Books dispersed by the Society for promoting Christian Knowledge.

of their lives. The main design of the literary instruction they receive, is to make them good Christians, and, consequently, good members of society, in order to become which it is necessary that they learn to read; but they should not spend more time in reading than is sufficient for the above purpose. It is desirable, therefore, on every account, that as soon as they have strength and ability for manual industry, means should be found to furnish them with employment of that kind. And it is presumed that the two objects may for a time be pursued together, and that, until the arrival of the age, at which youth ought to spend the whole of every working day in the respective occupations of their lives, they may, while at school, employ a part of every such day in preparation for those occupations, or, otherwise, in forming habits of diligence, which may easily be transferred even to a mode of labour different from that in which they were originally acquired. It is difficult to lay down any general rule upon this subject, as the same means of employment are not equally accessible in all situations. But in all situations it is practicable to find means of adding some kind of bodily labour to the instruction peculiar to the school; and by so doing children, while they are fitted for the moral character which they are to sustain in society, will also acquire a relish

for the active business, by which they are afterwards to procure the means of comfortable subsistence. I understand that Dr. Bell most earnestly wishes, and, as far as opportunity favours the attempt, endeavours, to introduce this mixed system of literary—that is, of Christian—instruction and manual occupation, into the schools which are immediately under his direction.

In the discussions which have taken place on the interesting question, in what manner the lower classes ought to be educated, quite opposite opinions have been entertained. Some persons think that those classes should receive a degree of instruction, which, there is much reason to fear, would give them a distaste for those laborious exercises on which they seem destined to depend for their subsistence: while others maintain that no provision should be made, upon a general system, for affording them any literary instruction whatever; and they seem to think that the education of persons of that description is complete, when they are properly qualified for their respective callings in life. But surely those who adopt the latter opinion, take a very limited view of this important subject. They forget that education has for its object, not merely to qualify youth to procure a subsistence, but to prepare and dispose them to

become good members of society, in the stations in which it has pleased Providence to place them. If man were merely an animal being, it might be sufficient to teach him to plough, sow, reap, thresh, and winnow; but he is also a moral being, and, *as such*, has many duties to perform, the due discharge of which is essential to his usefulness and his happiness. He owes personal duties to himself; he owes relative duties to those to whom he is associated by the ties of family connexion, of friendship, of neighbourhood, of civil subjection, of a common country, of a common nature; he owes religious duties to the Supreme Being, obedience to whose will is the sum and the principle of all moral obligation. To give him a right notion of all these duties—to impress a deep sense of them on his tender mind—and to inspire him with a lively apprehension of the direful consequences, temporal and eternal, which await his habitual neglect of them—these are surely among the most important objects of education. How defective then, must be that education, if education it can be called, which consists merely in qualifying him for those bodily labours which constitute the chief employment of the industrious poor! It might, indeed, make him a good husbandman, or a skilful mechanic; but he might, nevertheless, be an undutiful son, a brutal husband, a cruel father, a false friend, an un-

kind neighbour, a disloyal subject, in a word—an irreligious being. Education, therefore, in order to answer its true purpose, must correspond with the compound character which he is to sustain, and it should prepare him to act well the various parts of which that character is composed. All those parts have a mutual connexion, and they afford each other reciprocal support. The neglect of any one occasions a chasm that renders the whole defective, and leaves the individual unfit for his station in society. Habits of well-applied industry, besides conducing to their immediate object, the providing of the necessaries of life, are of admirable use in promoting a performance of all its social duties; insomuch that, as it were, by their mechanical effect, they sometimes, without any other aid, induce a general outward regularity and propriety of conduct. On the other hand, a conscientious regard to religious and moral duties, is a necessary security for persevering industry. How often, for want of that security, does the expert, and, for a time, diligent artisan, acquire by degrees habits of intemperance and sloth, and ultimately involve himself and his family in penury and wretchedness! Nay, how generally, for want of that security, do the artisans who reside in cities and manufacturing towns, squander so large a portion of their time and their earnings at that ensnaring

receptacle, that bane to the morals, of the labouring classes—the public house *—that they are led,

* I hope the Author of a late valuable publication, on the subject of Mr. Whitbread's Poor Bill, will pardon me for here transcribing his impressive observations on the ruinous effects produced by Alehouses on the morals of the labouring class; observations to the accuracy of which, my own experience as a magistrate enables me to bear mournful testimony.

" Among the means which might be devised for promoting the purposes *actually expressed in the title of the Bill*, perhaps none would be more useful, and none are more wanted, than this: a more effectual restraint of ALEHOUSES, and of the *number* of them; especially of those belonging to *common brewers*. *Licenses are multiplied* much too easily, and *reduced in number* too rarely; and the *maintaining of good order and rule* in them, is most lamentably neglected. To these public nuisances—such they generally are—may be ascribed, in a very great degree, the corrupted morals and impaired health of the labouring class; and perhaps *one fourth* of the *poor-rates*. For not only the money actually spent in them is to be considered, but the time and wages lost by labourers to their families, and their services lost to the public; the idle and vicious habits contracted; the late hours kept; the consequent dissolute intercourse of the sexes; the ruined constitutions, and shortened lives of multitudes, whose families are left to the parish; all which, taken together, contribute in a most high degree, to the increase of the public burdens. Surely among the acts of magistrates, not any one is attended with a more awful responsibility, than the *granting of additional licenses*, or to *improper persons*, or in *improper situations*, for the keeping of ALE-

by their extravagance, to combine in exacting from their nominal masters a rate of wages, which is extremely injurious to the commercial interests of the country; while, notwithstanding, their own circumstances are embarrassed, and their families are often in want of the necessaries of life!—To guard against consequences so destructive to the individual, so injurious to society, no means can be effectual but that knowledge and sense of *duty*, which it is the peculiar end of a religious education to impart. And as such an education cannot be bestowed without so much literary instruction, as is necessary to enable youth to learn their duty from that volume, where, alone, the knowledge of it is fully and authoritatively communicated, and properly to join in the public exercises of their religion, it follows that, to such an extent, literary instruction is an indispensable part of education, even in the humblest walks of life.

In the preamble to your Bill, the example of Scotland is expressly quoted, as affording a decisive

HOUSES—those perpetual sources of disorder and tumult, vices and crimes, poverty and poor-rates."—See "Remarks upon 'a Bill for promoting and encouraging Industry among the labouring Classes, &c.' by one of His Majesty's Justices of the Peace for the County of Lincoln."

proof, deduced from experience, of the beneficial effect which literary instruction is calculated to produce, among the lower orders of society. The precedent is certainly entitled to attention; for although much of the benefit, which has attended the establishment of parochial schools in Scotland, is undoubtedly to be ascribed to the industrious, sedate, and frugal character, which so eminently characterizes our fellow-subjects north of the Tweed, still there exist incontestable proofs, that such schools have greatly contributed to the moral improvement of the labouring class in that country. But this precedent, Sir, is far from authorizing the plan of education which you have here brought forward. In the parochial schools of Scotland the principle upon which I have so much insisted is invariably acted upon; for all the children brought up in those schools are educated in the national Church. A conformity with the established religion, and an attendance on the established worship, are the indispensable conditions on which alone the benefits of education, at the public charge, can be there obtained; and no complaint has ever been made on that account. The members of the Scotch Episcopal Church, (who there appear in the character of dissenters,) desire nothing further than toleration; which, however, they have but very lately been able to obtain.— Possessed of this inestimable blessing, they never

molest, in any way, the established Church; they never seek to draw away its members; they never interfere with its exclusive possession or secure enjoyment of those rights, which are, in their nature, essential to the safety of such a Church. I believe, indeed, it would be difficult to find an instance in any country but this, where those rights are not fully recognised, and quietly acquiesced in, by all classes of nonconformists. Can you assign any reason, Sir, why the established Church of England should not have the same securities as every other religious establishment in the world? Can you, as a Member of Parliament, and, consequently, a constitutional guardian of that Church, justify your neglect to consult its safety, when you were proposing a measure so intimately connected with its interests, and, indeed, its existence, as a general system of parochial education throughout the southern part of Great Britain? Would you, *mutatis mutandis*, have been equally inattentive to the Kirk of the North? If you had, I am apt to think you would have been led to a more just, rational, and constitutional view of the subject, by some of the members of that Kirk who sit in parliament. Was it because you thought that establishment more entitled to attention than the Anglican Church, that you did not propose to extend your generalizing system to Scotland, in order that the poor of both countries might be edu-

cated upon the same *liberal* principle? But you found in that country an existing plan, which had succeeded so well that you made it an express authority for your own measure. Surely, then, you should have adhered to the model which you professed to follow. In behalf, however, of the Anglican Church, which, though not more entitled to security than the Church of Scotland, is more closely allied to the State, as an essential part of the constitution, I solemnly claim a secure and unmolested possession of all those rights, privileges, and immunities, which reason, confirmed by experience, proves to be essential to the safety of such an institution. More than this it asks not; less it cannot have, without endangering the whole frame of our national polity; without exposing to hazard the dearest rights, civil and religious, of every class of the community; nay, even the *distinct* rights of those who dissent from it, and who would risk the loss of that invaluable blessing—religious toleration—if this most mild and tolerant of all the ecclesiastical establishments the world has ever known, were brought into peril.

According to the existing law of Scotland, the education of youth can be entrusted only to persons of the established religion, and it is subjected to the superintendence of the judicatories of the national Church. For by an act passed in the first Par-

liament of King William, 2d *sess. cap.* 17, "for Visitation of Universities, Colleges, and Schools," it is enacted that, "no professors, principals, regents, masters, or others, bearing office in any university, college, or school, within this kingdom, be either admitted, or allowed to continue in the exercise of their said functions, but such as do acknowledge and profess, and shall subscribe to the profession of faith, ratified and approven by the present Parliament; and also swear and subscribe the oath of allegiance to Their Majesties; and withal shall be found to be of pious, loyal, and peaceable conversation, and of good and sufficient literature and abilities for their respective employments, and submitting to the government of the Church now settled by law." By another Act, passed in the same Parliament, 4th *sess. cap.* 22, and intituled, "An Act for settling the Quiet and Peace of the Church," it is further enacted, that "all schoolmasters, and teachers of youth in schools, are and shall be liable to the trial, judgment, and censure of the Presbyteries of the bounds (or districts), for their sufficiency, qualifications, and deportment in the said office." By an Act passed in the reign of Queen Ann, 1st Parliament, 4th *sess. cap.* 6, "for securing the Protestant Religion and the Presbyterian Church Government," both the above statutes are re-enacted; *the professors and schoolmasters are required to subscribe the confession of faith, "as the confession of their faith," to*

conform themselves to the worship presently in use in the Church, to submit themselves to its government and discipline, and never to endeavour the subversion thereof. This last-mentioned Act was recited and re-enacted by the Act of Union of Scotland with England; and, consequently, by the now fundamental laws of Great Britain, every professor and schoolmaster in Scotland must, in conformity with the above statutes, subscribe the confession of faith of the Scotican Church.

In England, until very lately, the laws relating to education, were substantially the same as those of Scotland. It was, indeed, a principle of the old English law, that the keeping of schools was a matter of ecclesiastical jurisdiction *; and a very wise principle it was. For as sound religion, good morals, and competent learning, must be considered as indispensable qualifications in those who undertake the instruction of youth, so no other class in the whole community can be supposed equally fit to judge of those qualifications as the clergy. The principle itself is derived from the ancient Canons, which, though destitute of any intrinsic authority in this country, yet, having been immemorially

* In Cox's case, Lord Keeper Wright said, "I always was, and still am, of opinion, that the keeping of schools is by the old laws of England, of ecclesiastical cognizance." 1 P. Williams, 32.

adopted, have thereby become a part of the common law: and which received, moreover, the express sanction of the Legislature, in the reign of Henry VIII. when it was enacted that *all canons, constitutions, ordinances, and synods-provincial, being then already made, and not repugnant to the law of the land, or the king's prerogative, should still be used and executed*; in which statute they are denominated "customed and ancient laws of the realm, originally established as laws of the same, by sufferance, consent, and custom, and none otherwise *."

In the exercise of this common law ecclesiastical jurisdiction over schools, it was a fundamental regulation that every schoolmaster should have a license from the bishop of the diocese. The reasonableness of this regulation is most apparent, for it is to be presumed that, in order to attain the bishop's license, the party applying for it must pass such an examination as is best calculated to ascertain whether he is properly qualified for the instruction of youth. Even after obtaining a license, every schoolmaster was required, at the bishop's first visitation after his admission, to exhibit his license, to be, by the said bishop, either allowed, or, upon just cause, disallowed and rejected†. The

* 25 *Hen.* VIII. c. 19. † *Can.* 137.

necessity of the bishop's license, to authorize the keeping of a school, was fully recognised in Cox's case †, and also in that of Rushworth ‡, in reference to the last of which it was observed by Lord Kenyon, in the case of the King against the Archbishop of York §, that *the Court thought that the Bishop had done right in suspending the license until he had inquired into the moral character of the party applying for it.*—But that necessity does not rest solely on the authority of the common law and of adjudged cases; it has been at different times confirmed by the Legislature, which has subjected to various penalties every person acting as a schoolmaster or teacher without being thereunto licensed by the bishop; and which has, moreover, like the law of Scotland, required of every such person conformity to the established worship. By the 23d Eliz. c. 1. s. 6. every person keeping a schoolmaster, who does not "*repair to Church,*" or is not "*allowed by the bishop or the ordinary of the diocese,*" forfeits "for every month so keeping him, ten pounds;" and the schoolmaster or teacher "*presuming to teach contrary to this Act,*" is, upon conviction, "*disabled to be a teacher of youth,*" and liable to "*suffer imprisonment without bail or mainprize for one year.*" By the 2d

† Ante, p. 45. ‡ 2 Strange, 1023.
§ Durnford and East's Reports, 490.

Jac. I. c. 4. s. 9. every schoolmaster (except in certain specified cases), unless he be "*specially licensed thereunto by the archbishop, bishop, or guardian of the spiritualities of the diocese,*" and also the party retaining or maintaining him, "*forfeits each of them, for every day so wittingly offending, forty shillings.*" And by the 13th and 14th Car. II. c. 4. s. 8 and 11, "*Every schoolmaster keeping any public or private school, and every person instructing or teaching any youth in any house or private family, as a tutor or schoolmaster,*" *is required to subscribe a declaration or acknowledgment of conformity* "*to the Liturgy of the Church of England;*" *and every* "*schoolmaster or other person instructing or teaching youth in any private house or family, before license obtained from his respective archbishop, bishop, or ordinary of the diocese,* ACCORDING TO THE LAWS AND STATUTES OF THIS REALM, *and before such subscription and acknowledgment made as aforesaid,*" *is liable to* "*suffer three months imprisonment, without bail or mainprize.*"—Finally, at so late a period as the year 1795, the Court of King's Bench, in the case of the King against the Archbishop of York, fully recognised the bishop's right of licensing schoolmasters, as the ancient and still existing law of the land. In that case, the Court was applied to for a *Mandamus* to the Archbishop of York, to license a person who had been appointed to teach a grammar-school at Skipton, in the county and diocese

of York, and the Archbishop in his return, alleged that he had refused to grant the license, because the person applying for it would not submit to be examined, touching his fitness and sufficiency in learning. The Court unanimously decided that the return was good; and Lord Kenyon, after deducing from the common and statute law, and the authority of precedents, "the power of the ordinary to license schoolmasters," concluded the opinion pronounced by him in the following terms: "I cannot forbear saying that I think that if the Archbishop had examined into the moral character and religious tenets of this gentleman, as well as his learning, he would not have exceeded his duty; perhaps, indeed, the Archbishop was satisfied respecting the former, and only doubted with regard to the latter. In Rushworth's case, this Court thought that the Bishop had done right in suspending his license, until he had inquired into the moral character of the person applying for it. I remember an application made to this Court, some years ago, by a person who wished to be admitted a member of the Surgeons' Company; it was answered that he was not qualified, because he had not a competent knowledge of the Latin tongue, which is required by a bye-law of that company; and Lord Mansfield said that such a bye-law was good, as it only affected persons engaged in a liberal profession. Therefore, on the ancient ecclesiastical law, adopted in

this country in early times, and *now forming part of the law of the land,* on the statute law on the authority of the two adjudged cases, not contradicted by any other decision, on the analogous cases of ecclesiastical persons presented to the ordinary for institution, and on the expedience of the thing, I am clearly of opinion that this return ought to be allowed."

Such is the provident care, taken by the law of England, to prevent the important task of instructing youth from falling into improper hands. At the period of the Revolution, when the principles of toleration were so well understood, and so liberally acted upon, the Legislature did not abate its vigilance in that respect; but, in framing the Toleration Act, left the law relating to education precisely as it stood before. The liberality of more modern times has relaxed that law in favour of dissenters. But great caution should be observed in meddling with long-established systems, since political experience is perpetually demonstrating that effects may otherwise be produced, widely different from those which are intended; and the result, however in a limited view it may seem to be profitable to *a few,* is frequently found to be ultimately injurious to *all.* This has been the case in the present instance. By a statute,

made in the present reign *, it is enacted that *no Protestant, dissenting from the Church, who at the quarter-sessions shall take the oath of allegiance and supremacy, and subscribe the declaration against Popery, which is required of dissenting preachers and teachers by the Toleration Act, and also a declaration of belief that the Scriptures do contain the revealed will of God, " shall be prosecuted in any court whatsoever, for teaching and instructing youth as a tutor and schoolmaster, any law or statute to the contrary notwithstanding.*" And by a subsequent statute †, the like indemnity is extended to such dissenters as are Romanists, provided *at the quarter-sessions they take and subscribe the oath and declaration of allegiance and abjuration specified in that Act.* It cannot be doubted that the object of the Legislature, in passing these statutes, was to consult the feelings of dissenters, by enabling them, *legally*, to employ teachers of their own religious persuasion, in the education of their children. But for that purpose nothing more was necessary than to release teachers so circumstanced from the obligation of conformity to the established worship; and there was no necessity whatever to dispense, in their favour, with the fundamental regulation, which required all schoolmasters to obtain the Bishop's license.—

* 19th *Geo.* III. c. 44. s. 2. † 31st *Geo.* III. c. 32. s. 13.

Had the Bishop been required, for such a purpose, to grant his license to persons of that description, provided he found them in other respects properly qualified, no pretence for complaint could possibly have remained; and it would have been a real benefit to dissenters themselves, if the instructors of their children had still been obliged to obtain such a testimonial, as to their moral character and their literary qualifications.—In dispensing with that obligation, the Legislature may have consulted their feelings, but it has injured their true interests; while, by abandoning its superintending care of education, it has opened the door for much mischief to the community at large. It has not only exposed dissenters of all descriptions to the artifices of every unqualified pretender, who presumptuously undertakes the arduous work of education, but it has also contributed to bring into general disuse, and almost into total oblivion, the salutary laws which were precisely intended to prevent that work from falling into such hands, and which it never designed to invalidate. The consequence is truly lamentable: every person, who is so disposed, is allowed to become an instructor of youth, without any inquiry into either his literary or his moral qualifications: without any other ceremony than the mere exhibition of a board, on the outside of a house, pompously styled *a seminary*; in short, without any more preparation, and, perhaps,

with a much inferior capital in abilities for the undertaking, than are thought necessary to qualify for a commercial speculation of the most ordinary kind. Indeed this profession, though intimately connected with the future happiness of the rising generation, is often the last resort of persons, whose ignorance or want of character has frustrated every other hope of success in life.

It is true, parents have it always in their power to make a selection ; and opportunities for a most judicious selection certainly are not wanting. But the generality of parents are, either little qualified for the task of selecting the instructors of their children, or surprisingly negligent in making even the inquiries which are most obviously necessary. It is a distinguishing feature of these enlightened times, that the solicitude of parents, respecting the attainments of their children, is generally in an inverse proportion to the importance of those attainments. Such as are superficial and ornamental excite their supreme anxiety. Those of a literary kind, engage their subordinate attention. But for religious instruction and moral cultivation, no earnest inquiry is made. Credit is readily given to the professions of the teacher, and a few words of vague and general assurance, thrown into a card or an advertisement, are usually sufficient to satisfy the fondest parents, who, in a matter so momentous, are content to

trust to a precarious provision. The parental right of selection, is not, however, meant to be denied. Nevertheless it is not essential to that right, that it should be free for all persons to become at pleasure labourers in the vineyard of education, and, however unskilled, to dress and prune the plants, on the due culture of which depend the best hopes of the country:—it is not essential to that right that every artful individual should be at full liberty to spread his snares, and to employ his artifices, to surprise the inattention of parents, or to obtain from their credulity a trust, which he is unfit to execute. The state has so deep an interest in the due execution of that trust, that it is bound to take some care to prevent its being confided to those who are not qualified to perform it, and to protect parents themselves against the danger of making a choice, that may be injurious, through life, to those whose happiness they hold most dear. It is, indeed, scarcely possible to conceive any thing more desirable with regard to the welfare of the community, as well as to the happiness of individuals, than that none but persons duly qualified should be permitted to undertake the tuition of youth. For,

> "From education, as the leading cause,
> The public character its colour draws;
> Thence the prevailing manners take their rise."
>
> COWPER.

Fully sensible of this truth, our forefathers endeavoured to prevent the indiscriminate assumption of the preceptorial character, by laws which even the liberality of modern times has not ventured to repeal, though it has relaxed them in favour of that class of the community which dissents from the established Church. Nor would it be easy to devise means better calculated for the purpose, than the provisions contained in those laws, and which, like the provisions of former times, are at once simple and efficacious. What better precaution could be taken to guard against a defect, either of moral character or of literary qualifications, on the part of the instructors of youth, than to subject them to Episcopal examination, by requiring every person of that description to be furnished with a Bishop's license? It is true, with regard to all such persons who do not come under the denomination of dissenters, the law remains as it was; and every unlicensed schoolmaster, who cannot plead that right of exemption, is subject to the same regulations as formerly. But by the influence, partly of the causes which I have endeavoured to unfold, and partly of that levity and thoughtlessness which so much characterize the present age, the law, in relation to this most important subject, is, not only in practice totally disregarded, but also generally unknown. No member of the Church of England, setting up a school, now thinks of applying for a

Bishop's license * ; nor are dissenting schoolmasters, I believe, more attentive to the forms which they are required to observe at the quarter-sessions ; though by every such omission, in either case, the penalties above specified are actually incurred. Thus does an injudicious tampering with salutary laws, tend to reduce them to a dead letter, though nothing be further from the intention of the Legislature than their repeal.

It has been already observed, that the Legislature could have no other design in relaxing the laws respecting education in favour of dissenters, than to consult the feelings of persons of that de-

* Dr. Barrow, in his excellent work entitled " An Essay on Education," has stated the following fact: " When I first engaged in the Academy in Soho Square, I applied to the Secretary of the then Bishop of London, for a license, which I supposed necessary to every man, before he could legally undertake the profession of a schoolmaster ; and the Secretary's answer surprised me, as much as my application surprised him. ' I have been six years in my office,' said he, ' and never heard of such a thing before ! ' It was then agreed, that he should make inquiry on the subject, and inform me of the result. I left my address, and never heard more of the license. I do not mention the circumstance as any peculiar reflection upon the late Prelate, or his Secretary, but in the hope of exciting more attention to the canon, which appears to be generally neglected, and which the circumstances of the times render it highly necessary to enforce." Vol. I. p. 196.

scription, by allowing them to employ persons of their own religious persuasion in the education of their children. To consult the conscientious feelings of persons of all religious denominations, as far as may be consistent with the general welfare, is certainly a praiseworthy object; but it cannot be supposed that the Legislature intended, in the pursuit of that object in the present instance, to afford an opportunity for dissenters to be entrusted with the education of the children of members of the establishment. It is evidently most desirable, that such children should be brought up in principles of firm attachment to the established Church. But this cannot reasonably be expected to happen, if their education be superintended by separatists from that Church; for however honourably the trust reposed in such persons may be performed, the respect which youth naturally and most properly acquire for those, under whose care and tuition they pass the early part of their lives, if it do not, in the case supposed, lead them to prefer the religion of their instructors to that of their parents, will, probably, at least induce them to consider it as a matter of very little moment, which of the two they profess. Thus will their education, which ought to strengthen, serve rather to enfeeble, and, possibly, to dissolve the ties, by which they are connected with the national Church; and instead of firmly establishing their

religious principles, may expose their faith to endless fluctuation, and render them indifferent in what manner and in what place the worship of the Deity is performed.

The Legislature certainly never intended that such consequences should result from the indulgence which it granted to dissenters, when it released them from the operation of the ancient laws respecting education. With regard, indeed, to dissenters of the Romish Church, it has effectually guarded against those consequences by enacting that "no schoolmaster, professing the Roman Catholic religion, shall receive into his school, the child of any Protestant father*;" and although dissenting schoolmasters, who are Protestants, are not expressly subjected to the like prohibition, still, whenever such persons undertake the education of the children of members of the establishment, they must be considered as violating the spirit of the law, and as abusing a privilege which ought to excite their gratitude.

It will scarcely be contended by those, who are for conceding to the Romanists the full measure of their present political claims, that dissenters of this description ought to be subjected, as to the

* 31 Geo. III. c. 32. s. 15.

instruction of youth, to greater restrictions than Protestant dissenters. This would be at once strangely inconsistent and grossly illiberal. If a Romanist should, as such persons maintain, be rendered admissible to the situations of Commander in Chief, Lord High Admiral, Lord Chief Justice, and Lord Chancellor and Keeper of the King's Conscience, surely he cannot, in *their* opinion at least, be more unfit than a Protestant dissenter, to be entrusted with the education of any portion of the youth of the country.

These are not times in which to expect a bishop's license to be again made a necessary qualification for schoolmasters of every denomination. Such an act would require more energy, more manly firmness, more prudent foresight, more rational solicitude for the institutions and welfare of the country, than can be expected in this *liberal* age. But the evil of which we have such just cause to complain would be considerably diminished, if the laws still in being were regularly enforced; if every person instructing or teaching youth in any private school or family, and not coming within the scope of the laws respecting dissenters, were to be obliged regularly to obtain such a license, and to subscribe the declaration of conformity to the Liturgy of the Church, as the law still requires all such persons to do. Such an observance of the law would re-

dound to the honour of every schoolmaster, who is really qualified to assume that respectable character. It is also desirable that every dissenting schoolmaster should, at the sessions, regularly go through the forms which the law requires of persons of that description. Trifling as those forms are, they would still operate, in some degree, as a check ; and every check to the *improper* assumption of the important character of schoolmaster, cannot fail to be beneficial. It were better that laws should be totally repealed, than that they should be habitually violated with impunity ; for such violation tends to weaken the force of all laws upon the human mind, and to bring into disrespect even the authority by which they are made.

But whatever neglect may prevail in the execution of the laws, it certainly behoves the Legislature to be ever on its guard lest at any time, unintentionally, and by indirect means, it destroy their authority. The repeal of a law is, to the full, as great and as important an exercise of legislative power, as the original enactment ; and the former act ought not to be done, any more than the latter, without the most mature deliberation, and a complete view of the subject, in all its bearings. What then shall be said, Sir, of your Bill for the establishment of parochial schools, which, in an indirect way, and by a side wind, would have abrogated

the still existing laws on the subject of education, as far as they affect the lower, and the most numerous classes of the community; and have made an opening, by legislative authority, for educating, at the national charge, a large portion of the youth of the country, (and how large a portion of them who will pretend to say?) out of the pale of the national Church? Nor is this all: our fundamental laws respecting education were in danger of being annulled, without even the compliment of a revision or recognition; for I do not find that, in the discussions to which your Bill gave rise in the House of Commons, you made even the most distant allusion to those laws. Is it thus, Sir, that modern Legislators deliberate on matters which involve the dearest interests of the State? Happily, however, it was recollected in the Upper House, that there existed in this country an ancient system of education, which, like all our ancient systems that still survive, was wisely adapted to our excellent institutions. By the sage and conservative prudence of that House we have been preserved, under Providence, from a measure, which, by innovating on that system, would have endangered the institutions connected with it. A fresh proof is hereby afforded of the wisdom of our ancestors, in establishing and carefully preserving, as an essential part of the Legislature, an Assembly, the venerable and illustrious character of which renders it a solid barrier

against innovation; and affords a sure pledge that to every proposal, from whatever quarter, to disturb the fundamental principles of the Constitution in Church or State, its dignified members will always reply, with hereditary firmness,

NOLUMUS LEGES ANGLIÆ MUTARI.

I am, Sir,

Your most obedient Servant,

JOHN BOWLES.

Nov. 20, 1807.

SUPPLEMENTARY OBSERVATIONS,

On the Religious Systems maintained by the Monthly and Critical Reviewers, as exemplified in their Review of the Author's first Letter to Mr. Whitbread.—See the Monthly Review for July 1807; *and the Critical Review for June, in the same year.*

The strictures on Mr. Lancaster's plan for the religious instruction of the children of the poor, which are contained in my Letter to Mr. Whitbread on that subject, have drawn upon me much severity of animadversion from the Monthly Reviewers. These gentlemen have, on this occasion, adhered to their usual mode of criticism, if criticism it can be called, whenever they honour me with their notice; by cautiously abstaining from quoting the passages which they censure, and the citation of which would enable their readers to judge how far their censure is well founded. Being induced, by reasons which will soon appear, to notice the article to which I now allude, I avail myself of the opportunity thus afforded me of urging a request, the justice of which, I believe, is indisputable, and which contains all the favour I desire at their hands;—that they will henceforth have the candour to justify, by fair and apposite

quotations, any comments they may think proper to make upon my writings. With regard to the *past*, their neglect to do this, during a literary acquaintance of seventeen years, may fairly be ascribed to the impossibility of its being done; especially as the uniform hostility manifested by them to my principles and sentiments, precludes all doubt of their *disposition* to take every advantage against me. But as to the *future*, this gentle hint, if they have any solicitude for their own reputation, may possibly not be without its use:—*verbum sat*.

If I were not contending with such redoubtable champions in literature, I should consider myself as having advanced a truism, when I asserted that Mr. Lancaster, in excluding from his system of religious education all the *controverted* doctrines of Christianity, excluded Christianity itself. But this proposition having been controverted by the Monthly Reviewers, I am at issue with them upon the question of its truth; and as that question involves many others of the highest importance to the happiness of man, I am desirous of submitting my reasoning upon it to the strictest investigation.

The premises from which I deduced the above conclusion are, first, that Christianity (as far as it

consists in Faith, which, I presume it will not be denied, must constitute its basis) is a belief of all the *essential* doctrines of the Gospel. This is my *major*. My *minor* proposition is that many of the *essential* doctrines of the Gospel are *controverted*. The conclusion is obvious:—that a religious system, which excludes *all controverted* doctrines, is not *Christianity*. As this conclusion necessarily follows from the above premises, the question must turn upon the premises themselves. The *major* does not appear to be disputed by the Reviewers; and, indeed, he would be a bold controversialist who should venture to dispute it. For, by so doing, he would oblige himself to maintain that a system of faith may exist, without doctrines which are essential to it; or, in other words, that the same doctrines are and are not essential to the same system. But I think that a *negatur minor* is discoverable in the following attempt at a *reductio ad absurdum*. After observing, very justly, that "Mr. B. roundly asserts that to instruct youth only in the uncontroverted principles of Christianity, would have the effect of bringing them up as unbelievers;" (an assertion which I take this opportunity of "roundly" repeating,) the Monthly Reviewers endeavour to reduce this position to an absurdity in the following manner: "Thus (say they) if the rising generation be instructed in the belief of a God and a Providence, in the divine mission

of Christ, in the truth of the Christian Scriptures, and in the doctrine of a future state in which the righteous will be rewarded and the wicked punished, the inculcation of these 'uncontroverted principles' would have the effect of producing infidelity, or be essentially immoral."

It is here necessary to notice a most disingenuous perversion of my reasoning, which is contained in the passage just cited; a perversion on which the Monthly Reviewers would not have dared to venture, if, instead of insinuating my *meaning*, they had quoted my *words*. I have no where said any thing to justify the construction, that the inculcation of the uncontroverted principles of Christianity *would have the effect of producing infidelity*; my argument is that the inculcation of those principles *only*, is not sufficient to make youth Christians. I said expressly that the doctrines which are controverted "relate to matters of such high importance, that if all belief, and consequently all instruction, respecting them, were excluded from a system of faith, that system could not, in any sense of the word, be denominated Christianity." Whether the Reviewers misunderstood, or wilfully misrepresented me, it is for them to explain; but if I rightly understand them they mean to contend, with Mr. Lancaster and in his vindication, that in order to make youth Christians, it is sufficient to

teach them the *uncontroverted* doctrines of our Religion. If this be not the meaning of the Reviewers, I call upon them to say what is; and if it be, it involves a denial that any of the *controverted doctrines of the Christian faith are essential.* But it is undeniable, that the doctrines of the Trinity; of the Divinity of Our Saviour *; of the redemption of the world by His Sufferings and Death; and of the assisting and sanctifying influence of the Holy Spirit; are *all* controverted by some of the professors of Christianity: consequently these doctrines, according to the reasoning of the Reviewers, are not *essential.* Nay, if the system of religious instruction, which I have thought it my duty strenuously to attack, and which they have undertaken no less strenuously to defend, be really sufficient to instruct youth in the Christian Faith, then is Christianity a religion without Sacraments; without any atonement for sin, or any satisfaction to divine justice but what the sinner himself can make; in a word, without a Saviour—and without a hope of salvation, but such as is built upon an unauthorized, and, therefore, a presumptuous expectation of gratuitous mercy. But if Christianity be such a religion, then, indeed, is the condition even of the

* It is evident that what the Reviewers term "the Divine Mission of Christ" (a term equally applicable to Moses or any other prophet), is far from implying His Divinity.

best Christians most deplorable—then are their prospects gloomy beyond description. For there are no promises in *their* Bibles, on which they can place any reliance for future happiness, or which can authorize them to expect any thing, at the great day of retribution, but *strict justice!* such promises depending entirely on the truth of the doctrines which are thus excluded.

It is an awful symptom of the times in which we live, that this cheerless, hopeless, and unscriptural religion, instead of being merely professed by a few individuals, under the protection of that universal toleration which is here enjoyed, is actually recommended, as a system of education, by those who, in the character of guardians of the taste and literature of the country, deservedly command a considerable portion of the public attention. Nor is it the Monthly Reviewers only who, in that character, have given occasion for this complaint. The Critical Reviewers have gone still further than their literary coadjutors, and have made a public profession of the Socinian belief. In their review of my Letter, after observing that "a belief in the *Divine Mission of Jesus* is one of the essentials of Christianity," they say—"Though different sects may entertain different opinions respecting the person of Jesus, though some may deny his pre-existence, or his miraculous concep-

tion, yet all agree in this: that he was divinely commissioned to teach the will of God; that he worked miracles to prove the divinity of his mission; and that he ratified the hope of a future life by his resurrection from the dead. Surely here is doctrine enough for the nutriment of faith, and the encouragement of goodness. On such articles of belief as we have mentioned, in which all sects concur, and which are as powerful in their practical efficacy as they are in their speculative importance, we may safely erect a solid and useful system of religious education, suited to all the denominations of the Christian world." Again: "Such is the basis on which the religious system of Mr. Lancaster is erected, and which is equally honourable to his head and to his heart." Also: "That system would inculcate only those tenets in which all sects of Christians are agreed, and *which constitute the only essential articles of that religion which Jesus preached.*" In another place they represent Mr. Lancaster's system as "a most salutary and efficacious mean of diverting the attention of mankind from the forms, the superfluities, and the excrescences, to the *only essentials of true religion.*" Further, they observe—"There are some great and fundamental truths, such as we have enumerated in a former part of this article, which are common to all sects; *these truths constitute the only essentials of Christianity*, and these Mr. L. inculcates."

Such are the sentiments maintained by the Critical Reviewers respecting the *essentials* of Christianity; sentiments the declaration of which amounts to nothing less than an avowal of the Socinian belief. For, in the passages above quoted, it is asserted, not only that the articles of *that* belief contain "doctrine enough for the nutriment of faith," but also that "these truths contain *the only essentials of Christianity*." Consequently, according to such a system, the doctrine of the Trinity, of the Divinity of our Saviour, and of the Atonement, are not *essential*. But if not essential, these doctrines cannot be true, for nothing can be more evident, than that if true, they must be essential: therefore the Reviewers do virtually deny the doctrines of the Trinity, of the Divinity of Christ, and of the Atonement.

Such sentiments are so openly at variance with the prevailing Faith of the country, that I trust they are more likely to shock the feelings than to mislead the judgment of the public. In one respect I think their avowal, on such an occasion, may prove even beneficial to the interests of Christianity. For as they appear in an article, the main object of which seems to be to explain and vindicate Mr. Lancaster's system of religious education, they serve to point out the real tendency of that system to corrupt, what I understand Mr. Lancaster himself professes to consider, as the true

Faith. Of that tendency, it must be presumed, he was not at first aware. This discovery must surely open his eyes, and induce him to renounce a system which leads to such consequences. If it do not so operate, he must be considered as *voluntarily* contributing, by means of education, to the promotion of the effects which he is now told, even by his own advocates, will necessarily result from his system. But I am disposed to hope better things of him, and to persuade myself that he will not become a willing instrument to propagate the creed of *Socinus*. Independently of the objections to which the unchristian articles of that creed are liable, no conscientious man would teach a religion which he does not conscientiously believe.

In favour, however, of the plan of education which they so strenuously recommend, the Reviewers contend that it is calculated to promote that spirit of charity, which is so distinguishing a characteristic of genuine Christianity. On this subject they say, " One of the salutary tendencies of Mr. L.'s system, would be to allay the spirit of religious animosity, and to cement between the different denominations of Christians the bonds of amity and peace. For as that system would inculcate only those tenets in which all sects of Christians are agreed, and which constitute the only essential articles of that religion which Jesus

preached, the youth of both sexes, by being taught, from the earliest period, to consider these points of primary importance, would easily be led to regard those doctrines which are more ambiguous and obscure, as of inferior dignity and interest, and no fit object of animosity and strife. And as early impressions are the most durable, such sensations of comprehensive charity, and such notions of religious forbearance, by being imbibed in very early life, would not readily be effaced, and a true Christian disposition might thus be gradually diffused among mankind. The distinguishing characteristic of true, as contrasted with spurious, Christianity, is an enlarged philanthropy, a general good will, which knows no limitations of sect and party."

No mean specimen this of that declamation in favour of liberality of sentiment, with which the times so much abound. But like all such declamation, whenever applied to religious subjects, it appeals to a false standard of religious truth. According to this reasoning, the proper test of doctrine is its conformity, not with Scripture, but with certain fanciful notions of "an enlarged philanthropy, and a general good-will." The only true question on such subjects is, what are the doctrines of the Gospel? But, losing sight of this question, the Reviewers content themselves with inquiring what are the doctrines which agree best with what

they call "comprehensive charity and religious forbearance."

In justification of this mode of reasoning they may, perhaps, urge, that as a tree is known by its fruits, there cannot be a more decisive proof of genuine Christianity than that spirit of Christian charity, on which its Divine Author and His inspired Apostles so much insist. It is undoubtedly true that the faith, which does not produce this fruit, is dead, or at least barren; but as such fruit can be produced only by the tree of which it is the natural product, (for "do men gather grapes of thorns, or figs of thistles?") and as certain rules are given us whereby to judge of that tree, before its fruit can come to maturity, the only safe or prudent method of proceeding is to take care, first that the right stock be planted, and then, that nothing be omitted which can conduce to render it productive.

But is it really true that the generalizing system of faith, recommended by the Reviewers, is calculated to produce that Godlike charity, which, wherever it appears, is undoubtedly a mark of genuine Christianity? It cannot, I believe, be doubted, that the propagation of that system would tend to increase the religious differences which already prevail too much among us; and it seems,

à priori, rather paradoxical, to expect schism of any kind to promote benevolence and good-will. Surely these effects are much more likely to result from unity, than from division. If the question be referred to the test of experience, it will incontrovertibly appear that religious divisions have, in point of fact, proved most unfavourable to the peace and harmony of the Christian world: and sad experience also suggests, what is immediately in point on the present occasion, that the Socinian doctrine, being the furthest removed from the Faith of the established Church, has produced, among its adherents, more animosity to that Church than any other species of dissent; of which the writings of its principal promoter in this country, Dr. Priestley, afford incontestable proof. How is all this to be reconciled with those lofty pretensions, by which its present advocates assert its characteristic tendency to promote Christian love and forbearance? The truth is, those pretensions are entirely unfounded. It is only a spurious fruit which can be thus produced; a fruit which, though it borrow the name of Christian charity, is nothing else than laxity of principle, and religious indifference. To the accuracy of this description, I can vouch the Critical Reviewers themselves; for they say in the passage above quoted, that "the distinguishing feature of true" (that is of their own) "as contrasted with spurious

Christianity, is an enlarged philanthropy, a general good-will, *which knows no limitations of sect or party.*"

After all, if the Reviewers be really desirous of knowing how that Godlike charity, that truly Christian benevolence, for which they profess so much solicitude, may be most effectually promoted, I will confidently assure them that no means can be more conducive to such an end, than a steady and consistent adherence to the Church which is established among us. That Church has laboured most assiduously to make her Faith conformable, in all respects, with the only authentic standard of Christian doctrine; and thus to plant, within her pale, that sacred tree, on which alone the genuine fruits of Christianity can grow. Nor has she neglected any means in her power to render that tree most abundantly productive. For she carefully cultivates all those dispositions of mind, and, above all, that fervent and comprehensive charity, which the Gospel has made essential characteristics of a true and lively Faith; insomuch that in proportion as any of her members are deficient in those dispositions, they violate her spirit, they deviate from her principles, and they disgrace her communion.—But to return to the Monthly Reviewers:

It is far from being my wish to impose upon any antagonist, how illiberal soever may be his treatment of me, conclusions which it is not his deliberate purpose to maintain. And though I believe it would be impossible to raise a doubt in any candid mind, that I have put a fair construction upon the reasoning of these gentlemen, still, in a matter of such moment, I would rather suppose that they have been actuated by some other motive or feeling, certainly not very creditable to themselves, than that they mean seriously to exclude the doctrines which I have before enumerated *, from the essentials of Christianity. They have, however, laid themselves so open to suspicion, that, if they have any solicitude to avoid the imputation of Socinianism, it behoves them most explicitly to declare that they recognise those doctrines, as essential parts of the Christian Faith. Such a declaration is due to the members of the established Church of this country, by whom their work is perused. It certainly is very proper that the real principles, both political and religious, of those who conduct a critical work, should be unequivocally avowed: and writers who so freely attack the principles of others, ought not to be backward in declaring their own.

* See ante page 67.

Perhaps these critics may say, that they did not intend to enter into the question, whether any of the *controverted* doctrines of Christianity are among its *essentials*, but merely to contend that, in educating youth, it is unnecessary to teach them any but such as are *uncontroverted*. If this be their meaning, it is surely incumbent upon them to explain why, if they do not avow themselves to be Socinians, they recommend a Socinian system of education. Is such an education the surest method of disposing youth to become, in future life, Orthodox Christians? Are they the more likely, at a mature age, to adhere stedfastly to the Faith of the Gospel, because, when young, they were kept in ignorance of some of the essentials of that Faith? At what age, and in what manner, are they to acquire a knowledge of those essentials? These and other inquiries will naturally occur, if the meaning of the Monthly Reviewers be simply to exclude from a system of Christian education, any of the doctrines which they acknowledge to be among the essentials of Christianity.

It can scarcely fail to occur to a reflecting mind, that the distinction itself, which Mr. Lancaster and the Monthly Reviewers have endeavoured to make the test and boundary of a religious education, is, when so applied, altogether irrational. Why, in the name of common sense, ought the knowledge of

any truth to be withheld from youth, because it happens to be *controverted?* What grosser absurdity can be conceived than this hypothesis? Nay, if such an hypothesis be acted upon consistently, and carried to its full extent, whither will it go? It will not fail to produce complete scepticism. It will lead, not only to infidelity, but to atheism. For not only every one of the *uncontroverted* principles of the Monthly Reviewers, but every other principle of revealed religion—even the very Being of a God, is controverted. Where, then, is the line to be drawn, and who shall claim the right to draw it? What religious instruction, nay, what instruction of any kind, will youth receive, if they be taught nothing but what is *uncontroverted?*

When engaged with such competitors as the Monthly Reviewers, of whose want of candour I have had so many proofs, it is necessary, as much as possible, to guard against misrepresentation.—I therefore give them formal notice that they are not to charge me, as they might otherwise be disposed to do, with contending that youth ought to be instructed in *all* the controverted doctrines of Christianity. My position is, that they should be taught all the *essentials* of Christianity, since otherwise they would not be taught Christianity itself; and as, when educated in our national schools, they must be brought up in the national Church, they

will of course be taught the doctrines which that Church holds to be essential. These doctrines she has taken care to inculcate in her Catechism, and to incorporate into her Liturgy: and it admits of the clearest proof that they have been considered as essential and fundamental by the Christian Church, from the period of its original establishment. But some doctrines are controverted, which our Church does not deem essential, and respecting which she does not insist on any precise belief. Such are those which are involved in the Calvinistic controversy; with regard to which, I heartily subscribe to the opinion of a learned Prelate, now no more, who observed that "the best thing for the Church would be, for the Calvinistic controversy to be suffered to go to sleep *."

But in the morsel of criticism, upon which nothing but the vast importance of the subject to which it relates could induce me to bestow so much attention, there are some expressions which warrant an apprehension, that the Reviewers are disposed to object to the early inculcation of certain doctrines, because they are *mysterious*. These gentlemen, indeed, expressly contend, in relation to

* See "A Charge to the Clergy, at the Primary Visitation of the late Lord Bishop of St. Asaph." Hatchard.

the question before us, and by the aid of a palpable perversion of the advice of St. Paul—to feed "children with milk, and not with strong meat,"—that "plain and simple doctrines should be taught before those that are deep and abstruse;" and, after observing that "in the whole circle of scientific instruction, the most obvious principles are taught first," and that "the pupil is led from these to such as are of more difficult solution," they ask, "and is this the divine science of religion, such an exception to all other sciences that we must here begin at the wrong end, and go *crab-like* from recondite mysteries to simple axioms?" But these observations display a confusion of ideas, and an ignorance of the subject under discussion, most disgraceful to the critical character; and they prove that, on this occasion, the Monthly Reviewers are among the persons of whom it may justly be said that they "understand not what they say, nor whereof they affirm." Science, and the knowledge of revealed religion, are utterly destitute of that mutual analogy, which is here supposed to exist between them, and which is the groundwork of the foregoing arguments. They are derived from different sources, and are acquired by a very different process. The former is built upon mere reasoning, and, in proportion to the degree of perfection of which it is susceptible, it is capable of

demonstration. The latter is founded upon divine authority, and it admits of no other proof than evidence of the authority on which it rests. The former, therefore, very properly begins at first principles, and proceeds gradually to those of more difficult solution; as in mathematics, the most perfect of all the sciences, and the only one, indeed, which may properly be said to admit of certainty, the most difficult, complex, and remote demonstrations are deduced, step by step, from definitions, postulates, and axioms. The latter takes for its basis the fact, that the Deity has been pleased to make a revelation of His will; and the reasonable mind instantly recognises the indispensable obligation of obedience to that will. The *fact* of a revelation being of an historical kind, is capable of *historical* proof; in judging of the validity of which, we must assuredly employ our reasoning powers, and the communication of which ought, at a proper time, to be made a part of education: for education would be lamentably deficient, if it did not impart a knowledge of the evidences which establish the reality of our religion. But before the juvenile mind can be fit for such an investigation, the fact itself should be deeply impressed upon it, as a thing not to be doubted; and at a proper season, the historical proofs should be unfolded, by way of full confirmation, and as a se-

curity against the attacks of infidelity *. With regard to the *matter* contained in the revelation, which more properly comes under the description of religious knowledge, it is of two kinds, doctrine and precept; in other words, it relates to faith and to practice. The rules which are given to regulate our practice, are, in their nature, simple and intelligible †. But Faith consists in a belief of what-

* The excellent tract on this subject, by the present Bishop of London, while it is most satisfactory and convincing, is so perspicuous as to be calculated for the comprehension even of the most ordinary capacity.

† I cannot refrain from remarking in this place, that though the moral precepts of the Gospel are so plain and intelligible, that he who runs may read, a very different moral code seems to be generally received in the Christian world. I speak not here of the vicious *practices* which abound so much as almost to suggest a doubt whether the generality of those *who call themselves Christians*, really think themselves subject to the laws which, as Christians, they are commanded to obey. I advert rather to that lax *theory* of morality which so much prevails, and which, by corrupting the mind, poisons the very sources of action, and necessarily produces a depravity of manners. Modern liberality has been fatally at work, in unsettling the moral principles of mankind, and it has succeeded to a most alarming degree, in perverting opinion respecting the true standard of virtue. It was formerly admitted by all who professed to believe in revealed religion, that it furnished the only rule by which our conduct is to be regulated here, and according to which we are to be judged hereafter. But he would now be deemed most illiberal and narrow-minded, who, except in the pulpit at least, should maintain that by the morality, as well as by the Faith,

ever the Deity has been pleased to reveal concerning Himself, His nature, and His attributes, as

of the Scriptures, we must stand or fall; and that, if the laws which are thereby promulgated be broken, there is no other way of escaping the penalties annexed to the breach, than *that* which is pointed out in the same sacred volume. In fact, proud arrogant reason presumes to sit in judgment upon the laws of the Deity, as well upon divine revelation as matters of Faith; to pronounce them too rigid to be executed, and to endeavour to supersede their authority by a milder and a more liberal code. This corrupted state of moral sentiment among us, may, in a great degree at least, be attributed to our social and literary communication with the Continent, the manners and principles of which we have most incautiously suffered ourselves to adopt. It would be no very difficult operation, to trace, to their moral depravity, the present deplorable condition of the continental nations; which afford an awful proof, in addition to the many with which the history of the world abounds, that in states, as well as in individuals, misery is the natural consequence of vice. Let us take warning by the example, lest we be at length reduced to a similar condition, or rather to one inexpressibly more calamitous. For dreadful beyond all description would be *our* fate, if the tyrant who now rules the Continent with a rod of iron, be permitted to prevail against us. That we are in danger of such a catastrophe, it would be folly and self-delusion to suffer ourselves to doubt. But it behoves us seriously to consider whether our danger be not principally owing to our luxury and our vices—which have a manifest tendency to unfit us for the arduous contest in which we are engaged, by checking the cultivation of those manly and heroic qualities which it so urgently requires; to disincline us to those privations which that contest, especially in the course which it is now

well as His dispensations and purposes with regard to the human race; and it is plain that, with all the light we derive from revelation, the objects of our faith far exceed the comprehension of the human mind, which being finite, cannot grasp what is infinite. But whatever the Deity has been pleased to communicate, it is our indispensable duty implicitly to believe; and this duty is positively enjoined, under the most awful sanctions, and as an express condition of our salvation, in Holy Writ. It follows, therefore, that in communicating a knowledge of the doctrines which are to compose our faith, it is not possible to pursue that course of instruction which is recommended by the Reviewers, and which is the only course for the acquisition of that kind of knowledge which is properly termed science, *by beginning with obvious principles, and proceeding to those which are of more difficult solution.* For as those doctrines are to be received solely on the authority of Him, by whom they are communicated, we must for ever have remained totally ignorant of them, unless they had been revealed. They are, on account of the subject to which they relate, inexplicably myste-

taking, seems likely to require; to enervate, enfeeble, and reduce the population, which has, at length, to contend with the whole force of Europe; and, above all, to deprive us of the favour of that Being, without whose blessing all our efforts for self-preservation, must prove ineffectual.

rious; nay, we are told that our religion itself is altogether a mystery *. They are, on account of the infinite disparity between that subject and our understandings, in a great measure incomprehensible by us, and they cannot be adequately conceived by the expanded genius of a Newton, any more than by the uncultivated faculties of the most illiterate mechanic. Their being *mysterious, deep, abstruse,* and *recondite*, does not, therefore, afford any reason, as the Reviewers contend, for their being withheld from the juvenile mind, when it is once capable of forming an idea of the terms by which they are conveyed: for if they be kept back until they can be fully comprehended, they would never be communicated at all, during the present life. But as they are to be taken altogether upon credit; as they are to be believed, not because they can be demonstrated, but because they are promulgated by Him who cannot err; and as infinite importance is attached to the belief of them, in the revelation in which they are promulgated—nay, as that belief is enjoined as a positive duty; the sooner they are believed the better: and it is obvious that they are the more likely to be firmly retained and *held fast*, and to be kept *whole and undefiled*, in all their genuine purity (objects about which the sa-

* "Great is the mystery of Godliness: God was manifest in the flesh, &c." 1 Tim. iii. 16.

cred writers display the utmost solicitude), in consequence of their being imprinted on the tender and susceptible mind, the impressions made upon which are ever found to "grow with its growth, and strengthen with its strength."

Not satisfied, however, with reducing the Faith of Christianity to a mere science, the Reviewers further contend, that a knowledge of that Faith should be preceded by "education in Christian morality." We are taught, say they, that "virtue is the road to divine knowledge, or that education in Christian morality is the best preparative for the right apprehension of Christian doctrine." They attempt, indeed, to found the propriety of this course of proceeding on the authority of Scripture, but the texts on which they rely for that purpose*, need only to be read, in order to convince any one that they afford no sanction to the theory, for the sake of which they are adduced: indeed the authority of Scripture is directly against that theory; for St. Paul tells Titus, "These things I will that thou affirm constantly, that they which have believed in God, might be careful to maintain good works." Tit. iii. 8.; and another Apostle enjoins us to add to our Faith—virtue. 2 Pet. i. 5. Their theory, however, besides being unauthorized by Scripture, is also at direct variance with reason, and involves

* Ecc. ii. 26. John, vii. 17.

a gross inversion of the established order of things. All moral obligation is resolvable into the duty which is incumbent upon every rational creature to obey the will of the universal Creator. Such obedience is of the very essence of virtue. If we were without any revelation of that will, we should be bound to infer it from calculations of general utility; for "it must be presumed that a benevolent Creator wills and wishes the happiness of his creatures, and, consequently, that those actions which promote that happiness, must be agreeable to Him; and the contrary *." But we are in possession of a full revelation of His will; a revelation which, as I have already observed, at once communicates what we are to believe, and what we are to practise. Our virtue, therefore, as Christians, consists in obedience to the will so revealed. Before, however, we can obey, we must know whom and in what we are to obey. A belief in the revelation is, therefore, an indispensable preliminary to obedience. Insomuch that, by the use of a familiar metaphor, Faith is represented as the tree which alone can produce the fruits of obedience. Thus is Christian Faith the vital principle of Christian morality, and the only source from which it can flow. The precepts of that morality, derive their force altogether from their sacred origin. It is

* Paley's Principles of Moral and Political Philosophy, vol. i. p. 65.

not because they are excellent in themselves, it is not because they evidently coincide with the fitness of things, it is not because they are indisputably conducive to general happiness, that they are obligatory, but because they are the express commands of Him, who has an unlimited right to our obedience.

If these things be so, it follows that it is our first duty, and *that*, without the performance of which we can lay no claim to virtue, to make ourselves acquainted with the revelation which has been communicated to us; that is to say, not merely with the moral precepts of Christianity, but with the authority from which they flow. It is by no means sufficient that we consider those precepts as the commands of the Sovereign of the Universe, according to the vague notions which, if we were without a revelation, we might happen to form of that Great and Awful Being. As Faith must precede, and can alone produce obedience, so *Christian* Faith can alone be the spring of *Christian* obedience; and it is only a belief in God, *as He has been pleased to reveal Himself*, that can be called Christian Faith. I refrain from expatiating further upon this subject, because I have entered more fully into it in my former Letter to Mr. Whitbread, my reasoning in which the Reviewers, though they have advanced opposite conclusions, have

not attempted to confute. It may, however, be proper further to observe, by way of corollary from what has been urged, that as there can be no Christian morality without Christian belief, *unbelief* is, among Christians, that is, among those to whom a revelation has been made, of all things the most immoral. For it not only involves a positive disobedience to the divine commands, by which Faith is enjoined as an indispensable duty, but it also cuts off the only source from which morality can flow, and it contains within itself every possible species of vice. No wonder then, that an inspired Apostle so emphatically urged the Hebrews, and through them every individual Christian in after-ages, to beware of an "evil heart of unbelief."

The public will now judge between the Monthly Reviewers and me; they will decide how far I have earned the character of a "valorous knight," how far I am justly chargeable with advancing a "laughable paradox," or with attempting, by means of what the Reviewers elegantly term a "humbug," to "impose on the credulity of John Bull;" how far, in short, these *serious* and weighty charges are applicable to me, because I asserted, and, I trust not without some success, endeavoured to prove, that the scheme of religious education proposed by Mr. Lancaster, would, if generally adopted, be incompatible with the safety of the established Church,

and, in its tendency, subversive of Christianity itself. This assertion I do not hesitate to repeat; and I am confident that a British public will join with me in thinking that such must be the tendency of a scheme of education, which, having for its avowed object to instruct youth only in the *uncontroverted* principles of Christianity, must of necessity keep them in ignorance of those great truths of the Gospel, which are, indeed, denied by Socinians, but which the Christian Church, in all ages, has deemed to be among the *essentials* of the CHRISTIAN FAITH.

The Monthly Reviewers conclude their observations on my pamphlet, with the following allusion to that part of it which relates to the claims of the Irish Romanists.

"As to the Irish Catholics (whom Mr. B. more properly terms Romanists), it may be observed that, if by granting them the full privileges of subjects we can remove jealousies and unite them to us in a zealous co-operation in the defence of the empire, though the established Church by this measure will lose some of its patronage, its safety will in fact be increased: for whatever tends to secure the government must conduce also to the security of the established Church, which is an integral part of it. On the other hand, if by withholding reasonable claims the majority of the

population of Ireland is kept in a state of disaffection, do we not by this denial of civil rights endanger the empire, and consequently the established Church? By endeavouring to retain all, we often lose all."

Although any comment upon the above passage must lead me from the topic, the peculiar nature and importance of which could alone have induced me to notice the observations made upon me by the Monthly Reviewers, yet the measure here recommended by them seems to me fraught with such extensive mischief, that I cannot refrain from pointing out the fallacy of the reasoning by which their recommendation of it is supported. It is observable that they have not chosen to accept the challenge which is contained in the very pamphlet which they undertook to review, and in which I defied the most strenuous advocate for the claims of the Irish Romanists, to controvert the proposition, that "a compliance with those claims would be incompatible with the safety of the established Church." They fully recognise, indeed, the necessity of providing for the safety of that Church, by admitting it to be "an integral," by which I suppose they mean (though, for Critics, they express that meaning most inaccurately*) an essen-

* Vide Johnson's Dictionary *in loco.*

tially constituent part " of the government," or rather the constitution. But as they do not, though engaged in the review of my Letter, and though evidently disposed to combat my conclusions, accept the challenge therein contained, or even deny the proposition to which that challenge referred, they must, under such circumstances, be taken to admit the truth of that proposition, and consequently to allow that a compliance with the claims in question, would endanger the Church, as an establishment. The effect of their reasoning is, therefore, precisely this: the whole would be secured by a measure which would endanger an essential part; and that part would be preserved, by participating in the safety which such a measure would confer upon the whole. One might almost be tempted to conclude that the Reviewers meant, on this occasion, and perhaps by way of compliment, to adopt that style of reasoning which is sometimes ludicrously, however unjustly, attributed to the country where the claims, of which they appear as the advocates, originate.

But this style of reasoning, whatever may be its character in other respects, certainly has the merit of displaying, in its true light, the nature of that plea of expediency by which we are incessantly urged to a compliance with the claims, which are advanced under the insidious title of " Catholic

emancipation." Until those claims can be shewn to be compatible with the safety of the established Church, to what does the argument for conceding them on the ground of expediency amount? That argument may thus be fairly stated.—The British empire is engaged in a most desperate conflict with an implacable enemy, who has at length succeeded in combining the rest of Europe in a league for its destruction. Ireland is the most vulnerable part of that empire; but the large majority of the population of Ireland is not to be depended upon for co-operation in the defence of the empire, unless the Legislature will comply with certain claims, which cannot, however, be conceded without endangering the established Church, and, consequently, the entire constitution, of which that Church is an essential part. It is, therefore, expedient to grant those claims, in order to ensure the co-operation in the general defence of this otherwise disaffected and unpatriotic portion of our fellow-subjects.—Let the partizans of what is called Catholic emancipation say, whether such an argument proves any thing else than an ungenerous and a base attempt on the part of the Romanists to take advantage of a period of great national distress, in order to enforce demands which it is found impossible to support by reason and justice.

This argument of expediency, which, in reality, is nothing else than an argument *in terrorem*, to extort from our fears what cannot be shewn to be due from our justice; is stated much at length by the Edinburgh Reviewers; (No. 21, article 8.)—These Reviewers, in discussing this momentous question, candidly avow their purpose to "drop all consideration of justice, and examine the case on principles of expediency alone." Those principles seem to be comprized in the following statement: At the present alarming crisis, when the evil we apprehend is that tremendous one of being "conquered by France," Ireland is "the point of danger and attack," and "the insecurity of Ireland is mainly owing to the discontent of" (what is called) "the *Catholic* population," in which discontent "all the late rebellions originated," and by which they were "chiefly fomented:" that as "many of the Catholics" (always Catholics) "are disposed to rebel against England, there seems little reason to doubt that they would join a French army against her," and that "the repeal of the remaining disabilities of the *Catholic* body would *unquestionably* regain the affections, and secure the loyalty of that great body." But of this unquestionable result, there is unquestionably much reason to doubt, for it is afterwards admitted, that "the injuries and affronts which the Catholic body have sustained for a century, have,

no doubt, generated, in many minds, an irritation that will not be immediately extinguished," and that "turbulent spirits" would "probably keep the irritation alive." From all which it is inferred, that the disabilities complained of ought to be removed, and the claim of what is termed "Catholic emancipation," instantly complied with. Q. E. D.

The Edinburgh Reviewers undertake afterwards to examine the objections which have been urged against a compliance with the claims of the Romanists, in order to enable their readers to judge whether such compliance would be attended with any disadvantages, capable of counterbalancing the advantages which they had stated to be the certain result of that measure. But, strange as it may appear, though they have "taken some pains to procure" all the publications on this subject which have issued from the press, the only objection to "the Catholic emancipation," which is seriously noticed by them is, that "it would import a violation of the King's coronation oath." But could they be ignorant that other objections, still more weighty even than this, had been urged against the measure in question? Did none of the pamphlets lying on their table, state that the *principal* ground of objection to the claims of the Romanists is, that a compliance with them would endanger the established Church, and the Protestant ascendancy?

Could they be uninformed that *this* objection furnished the true principle of the coronation oath, by which every British Monarch promises to maintain, to the utmost of his power, the religion by law established; and that this oath is, in fact, but *auxiliary* to that principle, and intended for the sole purpose of preserving it sacred and inviolate for ever? But it should not excite surprise, that the advocates for the claims of the Romanists are unwilling to consider those claims, as they affect the safety of the established Church. They feel that this view of the subject displays an insurmountable objection to their demand of "Catholic emancipation." Until, however, they will consent to discuss the question on this ground, they will fail to prove not merely the *justice* (a consideration which they studiously keep out of sight), but, in the enlarged and rational sense of the term, the *expediency* of the concessions which they call upon us to make.

In meeting, however, "the *leading* objection," the Reviewers contend, first, that the oath does not bind the King in his legislative capacity, but only in the exercise of his prerogative—that it was not intended "to tie his hands from consenting to such new laws as his Parliament should choose to propose to him." But, by the terms of the oath, he engages, *to the utmost of his power* (words which

the Reviewers omit to notice), to maintain the Protestant reformed religion, *established by law*.—I will here ask the Reviewers this single question: would he, *to the utmost of his power*, maintain that religion, if he should, in his legislative capacity, consent to laws which, in his opinion, would endanger it? Unless they can answer this question in the affirmative, what becomes of their argument?

But, in the second place, they say, "this is a promissory oath, imposed by Parliament upon the Sovereign." "If the Parliament of Great Britain, therefore, propose any law to the King which might appear to contradict the tenor of this promissory engagement, it is plain that, by that very proposition, they release him from the engagement."—That is to say, should the Houses of Lords and Commons, unmindful of the sacred engagements which the King has entered into by his coronation oath, pass a bill, altogether subversive of those engagements, His Majesty is thereby at once set free from that fundamental compact with his people, which is the very bond of their allegiance, and the condition on which he holds his crown. Such extreme facility, or rather such levity, in dispensing with the obligation of an oath, may possibly suit the cause which it is intended to serve; but if ever a British King should be disposed to catch

at such flimsy pretexts to absolve him from that obligation, with what increased reverence and regret would posterity look back upon that truly conscientious Monarch who now sways the British Sceptre! But the argument here resorted to by the Reviewers, besides its moral profligacy, is, in every sense of the word, *vicious*. The coronation oath is *not* imposed by Parliament upon the Sovereign. Parliament, considered as distinct from the Sovereign, cannot impose upon him either an oath or any other measure. Its bills have no force till they receive the Royal sanction. As, therefore, the oath could not, in the first instance, be imposed without the King's sanction, neither can it be released without his consent. But it is plain, that in consenting to any law, contrary to "the tenor of this promissory engagement," he would himself break that engagement, and violate the oath by which he is bound.

It should not escape observation, that this second argument of the Reviewers refutes the preceding one, by proving that the coronation oath *has* a reference to the legislative conduct of the King. Indeed, this part of the oath was evidently intended principally to operate by restraining the King from consenting to any laws which might be fraught with danger to the established religion.—This was the very case against which it was chiefly

intended to provide. By the first clause of the coronation oath, the King is bound to govern according to law. In order, therefore, to give any distinct effect to the clause for the maintenance of the Church, and especially to render it available to the preservation of that establishment, according to the language of the Act uniting the Kingdoms and Churches of England and Ireland, "for ever," it must be taken to bind the King to the utmost possible vigilance and firmness, in his legislative character; lest he should ever be induced, either by his Parliament, or his *Ministers*, to consent to any law which might weaken the security of the establishment, which he has sworn to maintain. The Reviewers, in a subsequent place, endeavour to confound the distinct parts of the coronation oath, by assuming that the King's obligation respecting the Church, will be satisfied by his adhering, either to whatever laws "may be successively enacted by the Legislature," or to those which were "actually in force" in the reign of William and Mary, when the oath was framed, and when the Romanists "sat in Parliament, &c."; and by bringing the question to this dilemma, they think they have obtained a signal triumph. But that triumph will be of short duration, if the coronation oath be considered, according to its obvious and only rational import,—as an engagement by the King, in the whole of his character, legislative and executive,

to maintain, to the utmost of his power, the established religion; and for that purpose, especially in his legislative and highest character, to consent to no law, and consequently to no repeal, which in his opinion would be inconsistent with that engagement. And when he takes the oath he must be considered as specifically engaging to preserve the laws which are *then* in force, and which cannot be abrogated without diminishing the security of the Church. It is well known that His Majesty thus considers the laws which it is now proposed to repeal, in favour of the Romanists. Strange that any of his subjects should so perseveringly importune him to accede to a measure which his conscience forbids! a measure too, which, independently of the honourable scruples it excites in the breast of the Sovereign, is obviously incompatible with the safety of the Church, unless, indeed, it would be attended with no danger to an ecclesiastical establishment, to admit separatists of every description, equally with its members, to a participation of office and power. So absurd a proposition, not one of the advocates for this measure is Quixotic enough to maintain. But until it can be successfully maintained, it will be a hopeless task o endeavour to reconcile the repeal of the laws in question, with the obligation of the coronation oath.

But to return to the argument of expediency, the substance of which is stated so clearly, though in a compressed form, by the Monthly Reviewers, that an exposure of the fallacy of their reasoning, will be a sufficient answer to their fellow-labourers in the North; and indeed to all persons who in support of the claim to what is called "Catholic emancipation" suppose that expediency may be independent of justice.

It is evident that this kind of argument, on which the advocates for the above claim so much rely, derives not only its whole force, but also all its speciousness, from the supposition that the proposed concession would, beyond all doubt, have the effect of affording the Irish Romanists complete satisfaction, and of thereby insuring their cordial co-operation in the general defence. But if we judge by past experience, our expectations of such a result will not be very sanguine. It is now but little more than eighteen years since the class of persons who insist upon what they term complete emancipation, that is, an entire removal of every disability with regard to power and office, most studiously disclaimed having any such object in view; and they then stated, in precise terms, the utmost extent of their pretensions, denying most positively that their application went beyond that extent, either in substance or in principle.—So far were they then from even hinting a desire

of being admitted into Parliament, that they asked for the *elective* franchise only in counties, and even there to be exercised only by such "Roman Catholic freeholders," as should "either rent or cultivate a farm, or be in possession of a freehold, of twenty pounds a year *." Since that period, besides other concessions of great importance, they have obtained the elective franchise—not subject to the limitations proposed by themselves, but in as full and unrestricted a manner as it is exercised by their Protestant fellow-subjects. But instead of being satisfied with concessions so far exceeding their own views, as stated by themselves, they now require what they then disclaimed, and insist not only upon an admission within the walls of Parliament, but upon the removal of every other disability or restriction, by which they are distinguished from the members of the established religion; and these increased, and, not long ago, unless they were then insincere, unthought-of demands, are the only terms on which they will consent to join heartily in the defence of the empire to which they belong, and of the crown to which they owe and profess allegiance. Surely such persons are of all

* The resolution of the general Committee in 1792, on this subject, specifying the claims of the Irish Romanists at that time, is stated in the Author's Strictures on the Motions of Mr. Brand and the Marquis of Stafford, respecting the Pledge, &c. P. 39, 40.

men the least entitled to argue that concession is the road to conciliation. Surely it is rather too great a tax on our credulity to expect us to believe, that a compliance with their present demands will remove all discontent from their breasts, or that, when those demands shall have been conceded, they will not discover some other object, the attainment of which must be the preliminary to their "zealous co-operation in the defence of the empire."

But it may be asked what further object can they possibly have in view, beyond that which they now make the *sine quâ non* of their loyalty and patriotism? Do they not, at length, most explicitly demand a removal of every disability by which they are excluded from situations of power and trust, and a full and complete participation, in all privileges whatsoever, on equal terms with their fellow-subjects? Do they not insist on that "total emancipation," as they term it, which not long ago they thought it necessary, in justice to themselves, most studiously to disclaim? Can we, however, fail to perceive that, beyond the boundary even of such views, there lies an object, which whether they have it actually in contemplation or not, is eminently calculated to stimulate their wishes, and to inflame their cupidity? and the attainment of which would be facilitated, in an extraordinary manner, by the success of their present pursuit?

That object, it must occur to every one, is nothing else than the establishment of their own Church. It may, perhaps, be urged by their advocates, that Parliament will always be able to frustrate so unreasonable, so exorbitant a desire. But may not the existence of such a desire produce that state of dissatisfaction, which is the very groundwork of the argument chiefly relied on for a compliance with their present demands? May not a resistance to this new pretension, in case it be preferred, prolong the period of discontent and disaffection, and still deprive us of the "zealous co-operation of the majority of the population of Ireland?" Certainly the claimants would, in the case supposed, be possessed of advantages far exceeding those which they now enjoy, to enforce any demands which they might think proper to make. Formidable as they now are, they would then be much more so; and it would be attended with greatly increased danger to refuse them any thing. They would then, to the influence of numbers, add that of actual power. They would then, unless the success of their present pursuits should prove altogether barren, an event to which they would not be easily reconciled, occupy some of the highest stations in the army, the navy, the law, and the civil government; for what value would they set upon admissibility to those situations, unless followed by actual admission? They would then have represent-

atives of their own religion, to support their cause in Parliament. All this would, not only inspire them with confidence, but also confer upon them such an accession of real strength as would, in all probability, insure their success. At all events we should have the mortification of finding that we had failed, utterly failed, in the object for which we are pressed to grant what they now desire, and conciliation would be removed to a greater distance than ever.

It may be said, perhaps, that it is uncandid to suppose that the conduct of men of real honour and undoubted sincerity, will be thus at variance with their professions. I fear, however, that, without any impeachment of their honour and sincerity, after the departure from their professions in 1792 which marks their present claims, no great reliance can be placed on that kind of security for their future conduct. However honourable and sincere, they are *men*; and it is an essential property of human nature to enlarge its wishes, as the means of their gratification increase: and what bounds can be prescribed to the wishes of men who are once allowed the benefit of the argument, that, on their conciliation, depends the safety, nay, probably the existence of the empire?

That the proposal of an establishment of the Romish Church in Ireland would not, in the case supposed, be so very improbable an event, might be inferred from the indifference, or rather approbation, with which the idea of such an establishment is already contemplated by some of the Protestant advocates for Romanist claims. The Monthly Reviewers, in the article I am noticing, calmly admit that, in consequence of the measure which they recommend, the established Church would "lose some of its patronage;" a consequence which necessarily pre-supposes the partial establishment of some rival Church. But the Edinburgh Reviewers go still further, and contend that the establishment of the "Catholic religion" in Ireland, "when the Presbyterian religion was established in Scotland," would have been a happy event, inasmuch as it would have had the effect of inducing "the majority of the inhabitants," ere now, to adopt "the tenets of the Protestants."

This allusion to Scotland, where the establishment of Presbyterianism certainly has not produced a majority of Episcopalians, was most unfortunate, when the object was to prove that the establishment of Popery, in Ireland, would have converted a majority of the inhabitants of that country into Protestants. Nor is the argument here urged in support of this hypothesis, more happy. It is said,

"the oscitancy and languor of all established Churches, assisted by *the corruption and abuses to which the Romish establishment is particularly liable*, would, in all probability, have alienated the greater part of the people from that system."—The world is here told, for the first time I believe, of the oscitancy and languor of the Romish Church as an establishment. It would have been well if the Reviewers had pointed out the period of its history, when that Church displayed any such qualities. If, indeed, it possess them in any degree, or rather, if it have not been invariably actuated by qualities of a quite opposite description, the annals of Europe are full of the grossest misrepresentation. It is true, indeed, that established Churches are in general justly chargeable with oscitancy and languor, in neglecting the precautions which are necessary for their security; and I believe it will be found that they are liable to this charge, in proportion as they are actuated by a spirit of toleration. The Church of Rome is totally devoid of that spirit, as every Church must be which confines salvation within its own pale.—In Ireland, that Church, though itself *tolerated*, displays, even now, its intolerant character; its adherents avail themselves of the superiority of their numbers, to vex and persecute the inferior orders of Protestants; and so far from "protection" making them less "zealous," (as the Reviewers

presume to be its necessary consequence,) "in the propagation of their faith," their majority has greatly increased under the protection, and even indulgence, which they have enjoyed during the present reign. The Church of England is, on the contrary, the most tolerant of all the Churches the world has ever known; and it is, I must be allowed to say, the most careless of its safety. Hence it is that through a most culpable omission to promote, by appropriate methods, the principles of the Reformation in Ireland (an omission the supply of which affords the only remedy for existing evils in that country), and an equally culpable neglect to guard against the abuses of toleration in England, this establishment, exposed to the two-fold danger of Popery and Methodism *, is in a most alarmingly insecure state; and I do not hesitate to predict its fall, if its protection be left to that false liberality which, by confounding toleration and encouragement, cherishes every species of dissent, and to the prevalence of which the dangers of the establishment are chiefly owing.

But independently of the encouragement which the Irish Romanists, when gratified in their present expectations, would have to desire and de-

* See some observations on the state of Methodism in this country, in the Author's First Letter to Mr. Whitbread, page 36, 2d Edition.

mand the establishment of their own Church, is it not in the natural course of things probable, that they would themselves be disposed to pursue an object so desirable to all separatists from an established religion? Nay, when such separatists, besides being formidable in number, and great in consequence, are possessed of *power*, can it be doubted that they would use that power for the attainment of such an object? On the contrary, would they not be something more than men, if they resisted the strong temptations which, in the case supposed, would invite them to act in such a manner? To these questions, the sense of mankind, in all ages and regions of the civilized world, has furnished an answer, by making it an invariable principle, to admit none but members of the established Church to offices of power in the State; lest their power should be employed for the subversion of the establishment. All who are now dissenters in this country have acted upon this principle, whenever their own religion has had the ascendancy; and I defy those whose claims *for power* are now under discussion to say, that if their own Church were again established, they would not again act upon the same principle, and refuse to the members of our establishment, when in a state of dissent, what they now so strenuously demand in their own favour.

But of all the separatists from our national worship, the Romanists, I will venture to say,

are the least likely to forego any opportunity for the establishment of their own Church. This assertion will, I am confident, appear to be fully warranted, if we advert to the characteristic features which distinguish their religion from every other. I am aware, indeed, that they now disclaim many of those horrid maxims which that religion once maintained; that they renounce the obnoxious tenets, that it is lawful not only to violate faith with heretics, but to murder and exterminate them; and that Princes, excommunicated by the See of Rome, may be deposed or murdered by their subjects; and that they moreover deny that the Pope hath or ought to have any temporal or civil jurisdiction or power in this realm. Far be it from me to dispute the sincerity of these renunciations *;

* In admitting, however, the sincerity of these renunciations, I must be allowed to observe, that they proceed only from individuals, who, however respectable, have no authority to speak in the name of their Church, or even to bind their fellow-subjects in Ireland who profess the same religion with themselves. In some respects, the Edinburgh Reviewers seem to be of opinion, that the statements of this body of men in their own cause, are not to be implicitly relied on. For those writers "find it difficult to believe" the "Catholics themselves," whose "priests, in the late rebellions, were the agitators and recruiting-officers of the rebel army," when they deny their own disaffection. Indeed, the Reviewers seem even to impute to the *petitioners* something very like a wilful misstatement on this subject, by saying, "It becomes them, perhaps, as petitioners, to say so." What is this, but to charge them with intentional misrepresentation, with a view to EXPEDIENCY?

though I must be allowed to observe, that the solicitude with which they are at length made, affords conclusive proof that the Church, which could maintain the tenets and maxims so renounced, stood in great need of a REFORMATION. That Church, however, still retains some original, and, as I apprehend, unalterable characters, which would render the possession of power in the hands of its members, far more dangerous than in those of any other separatists from our establishment, and without an attentive consideration of which, it is impossible to do justice to the important subject under consideration.

In the first place, it is a notorious truth, that the members of the Romish Church believe that, wherever situated, they are subject to the ecclesiastical jurisdiction of the Pope, whom they consider as entitled to that jurisdiction, throughout the world, by virtue of Divine right; and although it is nominally but an ecclesiastical or spiritual authority which is thus recognised, yet it cannot be de-

I am persuaded, however, that injustice is here done to those noble and honourable persons by their advocates. The petitioners undoubtedly err in stating the great body of Irish Romanists to be loyal. But their error is owing entirely to their having formed their opinion upon this subject, from the sentiments which prevail in their own breasts, without attending to those which govern the mass of their sect.

nied that the possession of such authority, over the minds of beings constituted and compounded like ourselves, necessarily draws to it a considerable portion of temporal influence; nay, when possessed by a foreign power, such authority is dangerous even to national independence. It was, indeed, this ecclesiastical supremacy which enabled the See of Rome to subvert the liberties of so many states, and to exercise for ages a severe and galling despotism over the whole of Christendom. Its tendency to facilitate any plans of aggrandisement was so obvious, that it could not fail to inspire the sovereign Pontiffs with a thirst for dominion; and, aided by the ignorance and superstition of those remote ages, it afforded ample means of gratifying the ambition which it excited. And though the papal power, broken and enfeebled by the Reformation, has, in consequence of that great event, been reduced within comparatively moderate bounds, even in Popish countries, the recognition of papal supremacy can never cease to be formidable to Protestant states *.

It may seem, perhaps, that such a recognition endangers only, in a direct way at least, the eccle-

* See the constitutional right of the Sovereign of the State to the Headship of the Church, ably stated in a Sermon upon "The Claims of the Establishment." By the Rev. John Ireland, D. D. Prebendary of Westminster, and Vicar of Croydon. Hatchard.

siastical establishments of those states, and their civil establishments but consequentially, as far as they are connected with the former; but, in fact, it encroaches by a direct operation upon the undoubted rights of civil government itself. Wherever there is an established Church, the Headship of that Church on earth, necessarily belongs to the Sovereign of the state, otherwise, indeed, he would not be Sovereign; for there would then exist somewhere else a power, acknowledged by law, independent of his authority, and co-ordinate with it. That power too might attempt to avail itself of the amazing influence which, in consequence of its peculiar nature, it must possess over the human mind, to molest the legitimate government, and even to undermine its foundations. To prevent the possibility of such attempts, an established Church must be subordinate to that authority in the state which, by superintending and controlling, harmonizes, and keeps in their proper places, all inferior jurisdictions, of what kind soever; and the universal supremacy of which is, as might easily be shewn, no less essential to civil liberty, than to social order.

In conformity with these principles, when this country, at the Reformation, renounced the ecclesiastical supremacy of the Pope, that supremacy was instantly, and, as of course, vested in the King,

who became, *ipso facto*, the constitutional head of the Church, as well as of the State. But this part of his Sovereignty (and consequently his Sovereignty itself, for this attribute is, in its nature, indivisible) is denied by the Romanists; for they consider the Bishop of Rome as alone entitled to ecclesiastical jurisdiction and supremacy, within this and every other Christian realm; they regard him as authorized to alter as well as to fill its dioceses: and in the exercise of these rights, they consider their own King as an usurper. Can it then be doubted that they would eagerly embrace any opportunity of restoring to their own Bishop the supremacy, and to their own Church, the establishment, of which, in their opinion, each has been deprived by an unjust usurpation? If they were not prompted to do this by inclination, they would be urged to it by a sense of duty, by the paramount impulse of conscience, nay, even by a principle of humanity. They would, indeed, be unworthy members of the religion which they profess, if they neglected, when in their power, to re-establish what they consider as the only true Church—and that, out of the pale of which they believe that there is no salvation.—No wonder that with such sentiments, they have always been distinguished by an unquenchable spirit of proselytism. In short, all the feelings which operate most forcibly upon the human mind, combine to inspire persons of their persuasion with an insa-

tiable desire to promote, every where, the establishment of their own religion.

It is another characteristic feature of the religion of the Romish Church, that its clergy possess an almost uncontrollable dominion over the minds of the laity, by means of auricular confession, penance, absolution, and excommunication. The unhappy state of Ireland, especially during the late rebellions, attests, in an awful manner, the effects of this ascendancy, proving it to be so absolute, with regard to the great mass of the Romanists, as to supersede even the terrors of the law; to control all sense, not merely of moral duty, but of humanity itself; nay, even to dissolve the strongest ties of gratitude and affection.

It is also to be remembered, that the men who have such firm hold of the minds of the great mass of the Romanists, are themselves fast bound by indissoluble ties, to that foreign head, the supremacy of which is acknowledged by the whole body. Every Romish priest, by his oath of ordination, not only acknowledges "the Holy, Catholic, and Apostolical Roman Church to be the Mother and Mistress of all Churches," but swears "*true obedience to the Pope of Rome,* successor of the blessed Peter, Prince of the Apostles, and Vicar of Jesus Christ." And a Romish Bishop

swears not only to be *faithful and obedient* to the "holy Roman Church," and "our Lord the Pope, and his successors;" but also "the rights, honours, privileges, and authority" of the Church and Pope aforesaid, to be careful "to preserve, defend, ENLARGE, and promote."

To counteract the force of so many and such weighty considerations, it is sometimes contended that in the state of degradation, to which the Pope is now reduced, he ceases to be formidable to Protestant states. But can it be forgotten by any one that, however degraded, he is the tool of our implacable enemy? Surely as his ecclesiastical power is still recognised by every Romanist, to its fullest extent, that power is not rendered less formidable by being under the direction of a hand, which is raised for our destruction.

Deeply sensible of the danger attending the present state of things in Ireland, in consequence of the prevalence of Popery, some persons have conceived the project of attaching the priests to the state, by making them stipendiaries of the Government. But the See of Rome took effectual care, betimes to guard against the defection of its ministers, by that master-piece of Papal policy—the celibacy of the Romish clergy. It is impossible to conceive a device better calculated to insure, at all

times, and under all circumstances, the devoted services of this body of men to their supreme ecclesiastical head, than a regulation which had so obvious a tendency to weaken their dependence on their political government. Such a regulation, far from deriving any sanction from the authority of Scripture, is at variance with the practice of the Apostolic age. Nor has it been found calculated to render the ministers of the Gospel more attentive to the spiritual improvement of their flocks. Providence has been pleased to make our social affections, of which the institution of marriage is the primary source, as well as the constant supply, conducive to the performance of all the duties of life, even the most sacred: and the marriage state is far from being unfavourable to the pastoral duties, either of the parochial minister, or of the episcopal office. It is undoubtedly true, that many individuals of the Romish clergy have adorned their profession by their exemplary worth, their eminent piety, and their extensive usefulness. But the celibacy of the order has been generally found to make them attentive to the temporal prosperity of their establishment, rather than the spiritual interests of their religion. At all events, it is certainly unfavourable to the cultivation of patriotic feelings, for it prevents the formation of those ties which bind men most strongly to their native soil: it precludes that anxious solicitude for posterity, which is the

surest test both of loyalty and patriotism, and which is excited by the prospect of a survivorship, after death, in a beloved offspring: it impels, in short, the individuals who are subject to it, to seek another channel for that interest which, according to the constitution of their nature, they were destined to find in domestic cares and family feelings. But debarred of such cares and feelings, what temporal object can be so interesting to them as the aggrandizement of that establishment, in which all their professional views are centred, and which may, therefore, be naturally expected to engross their minds, and to absorb their affections? That establishment, however, it should be remembered, is not a national, but, avowedly, an universal institution. It extends over all the countries in the world, where their religion is professed; and it is under the government of a foreign prince, to whom they have sworn obedience, and for whose character and authority they feel an almost idolatrous veneration. The interest of such an establishment can, therefore, be considered in no other light than as a foreign object, their solicitude for which tends to alienate them from the land which gave them birth, and to supersede both their allegiance to their Sovereign, and their affection for their country.

History fully proves the justness of these observations, even with respect to Popish countries,

where, in the struggle by which, for so many ages, the crowned heads of Europe endeavoured to resist the insatiable ambition of the See of Rome, the Romish clergy almost invariably took part with the sovereign pontiff, against the legitimate authority of their prince, and the independence of their country. And although in such countries, in consequence of a change of circumstances, their loyalty and patriotism are no longer put to the test, it would denote the grossest ignorance of human nature to doubt that, in a Protestant country, they would eagerly seize any opportunity of overthrowing an establishment, which they consider as an usurpation upon their own Church.

Let it not be supposed that these opinions denote any want of kindness for my fellow-subjects of the Romish connexion. For some individuals of that connexion I entertain a sincere friendship, and the *constitutional* rights of all I would support to the utmost of my power. But I should be unworthy of the name of Briton, if I could be *intimidated* into a compliance with demands, which are obviously incompatible with some of the dearest interests of my country, by the unmanly threat—the main argument resorted to in favour of such compliance, by their most strenuous advocates—that if we do not yield to their wishes, they will, at this awful crisis, leave the empire to its fate. I would not, to purchase the precarious chance—

nay, I would not, to acquire the absolute certainty—of their co-operation in the general defence, consent to endanger that Protestant ascendancy which is essential to the solidity and permanence of a Protestant government. For the rights of conscience and complete toleration, I will ever be a most strenuous advocate. But these inestimable blessings they already enjoy, in the fullest extent, and in the utmost security. They have been relieved from every penalty to which they were formerly subject, on account of their religion. They have even obtained many concessions and indulgences, far beyond the line of toleration. They are only subject to a few remaining disabilities, the removal of which is forbidden by the welfare of the state, and the safety of the constitution. To oppose that removal, is surely as remote from harshness or severity, as to demand it is incompatible with reason and moderation—with loyalty and patriotism.

It now remains for those persons of rank and consequence, who are at the head of the Irish Romanists, to say, whether they will consent to heal the divisions which constitute, at once, our principal danger, and the chief hope of the enemy. None but persons of that description have any immediate interest in the claims which are advanced by themselves; indeed, the great mass of Romanists in Ireland, even when engaged in open rebellion, were

THE

BRITISH TREATY.

WITH

AN APPENDIX

OF

STATE PAPERS;

WHICH ARE NOW FIRST PUBLISHED.

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THE ADVERTISEMENT TO THIS EDITION.

THE affairs of the UNITED STATES become every day more nteresting to Great Britain. The men, and the manners of the United States, their principles, and proceedings, have acquired an mportance, during the present crisis, which they had not obtained, ill they became the rivals in commerce, and the challengers in war, of the British people.

Such were the considerations which induced the present publisher of the following tract to give it to the Public. It is written with so much acuteness, and ability; and displays in so many new lights the leaders of the United States, with their modes of reasoning and acting, that the Publisher presumed to think it would be a welcome present to all those who wish to see the great questions now at issue between the two countries fairly discussed, and perfectly understood.

This tract was transmitted by a friend at Philadelphia to the present Publisher. It appears not from the title page, or otherwise, where, or when it was printed, published, or distributed. From that circumstance, we may infer the importance that was annexed to it, within the United States: and from that circumstance, the English reader may determine, whether the American or the British press be the most free.

If any one should entertain the least doubt of the genuineness of this pamphlet, he may satisfy himself, by inspecting the original work, in the hands of the present Publisher.

He presumed to think, he only did justice to the subject, and a service to the reader, by annexing to this republication, an Appendix of STATE PAPERS; consisting of—first, The *Commercial Treaty* with the UNITED STATER, in 1794; secondly, A specification of the various changes which the recent treaty has made of the old, so as to give a perfect view of both; thirdly, His Majesty's *Explanatory Notes* which forms an essential explanation of the new Treaty; fourthly, Mr. Merry's Letter to a Friend at New York is now subjoined; as it throws a light upon the whole.

T. Gillet, Printer, Wild Court.

TO

THOSE MEMBERS OF CONGRESS

WHO HAVE

THE SENSE TO PERCEIVE

AND THE

SPIRIT TO PURSUE

THE

TRUE INTERESTS OF THEIR COUNTRY

THIS PAMPHLET IS DEDICATED.

PREFACE.

THE matter of the following sheets was long since prepared, but the publication was suspended from unwillingness to interfere in the measures of government; and from the apprehension that such interference, instead of doing good, might produce evil. A majority of our countrymen seems determined to approve whatever our rulers do; and even to give praise for what they leave undone. We believed, therefore, that, borne on a tide of popularity, they would disdain what we could say; and might pursue their course, still more pertinaciously, should we declare our opinion that it leads to ruin.

This, though an evil, was not the greatest which we apprehended. We have long seen the American people acting and thinking under an impression, that the wisest and most virtuous among us have an interest distinct from their fellow citizens; that they wish to tyrannize and oppress; that they want to be lords and kings. And although it is acknowledged, that nothing could be more absurd, than a scheme to establish monarchy or aristocracy, it has been taken for granted, that men noted for their judgment are engaged in that ridiculous project. If this produced no other effect than to exclude them from the national councils, we should consider it as a misfortune. We should, however,

console ourselves with the hope, that a quiet course of things would render the employment of their talents unnecessary; or that, if storms should cloud the political horizon, they would, as virtuous citizens, be ready at the call of their country. But we have seen a more serious consequence result from the false direction of public sentiment. The measures which such men recommend are considered as part of the system attributed to them. And when they exercise the common right, and perform the common duty of freemen, to express their opinion of any measure of government which appears to them unwise or improper, it is attributed to a desire of making mischief between the people and their friends. Indeed, a singular advantage has been taken even of their talents, to render their exertions ineffectual. Such, it is said, is their power to persuade, that those who listen are lost; wherefore the people must turn a deaf ear to their arguments And such, it is said, is their power to misrepresent, that the President and his friends dare not indulge themselves in explaining the principles of his conduct. But since the people know he is their sincere friend, the ablest and best man in America, they cannot act more prudently than to repose confidence in him; and adopt the maxims which emanate from his mind. Hence it has happened that, generally speaking, whatever those who administer the government have thought proper to say or do, has been received

and adopted as perfectly wise; from which, at length, has resulted the very great evil, that where their opinion or conduct has been traced up to maxims dangerous and false, error has been adopted as an article of faith. Seeing all this, we could not but apprehend that it might be dangerous to publish the matter contained in the following pages. We feared that, from blind confidence on one side, and blind enmity on the other, false notions might prevail and be established respecting our exterior relations, of which foreigners would not fail to take advantage. But it is no easy matter to get loose from treaties with a great power. And although it is a misfortune to be bound by treaties unequal and injurious, that is not the only misfortune. The jealousy of rival powers is excited, and they take every convenient occasion to make us feel their resentment.

A late event has roused public indignation; and Americans, waking from their long dream, appear desirous of knowing their condition. We see with honest pride the spirit of our country. Neither submission to insult with the view to save money, nor the disgraceful expedient of purchasing delusive tranquillity, have yet unnerved the public mind.

It may be expected that we should say a few words on this event. We put aside what preceded the assault on the Chesapeake, because, even if our government had been in the wrong (a subject on which as yet we form no opinion), the attempt to

search a public ship of war appears to us unjustifiable; and more especially so on our own coast. We firmly believe the British will not attempt a justification; but will, for their own sakes, grant satisfaction. We do not mean to say that they can be bullied into submission. They are a high-spirited nation, and will not be bullied. If any thing prevents them from giving satisfaction, it will be a demand in terms so injurious as to put us in the wrong. Then, indeed, we may be answered in a tone to repel the insult of threatening language; which, as it is addressed to fear and not to justice, implies the opinion that we have to deal with scoundrels and cowards. When, therefore, we express an opinion, that the British government will, for its own sake, give satisfaction, it is from the condition expressed by Admiral Berkeley, and which would at any rate have been implied, that they are willing in their turn to submit their ships of war to search. This, we believe, they never will submit to, and therefore presume Admiral Berkeley will lose his commission for making the offer.

We may be mistaken in our view of the course of events. Things may be brought to the alternative of submitting to insult or going to war. In that case, not pretending to conceal the misfortunes which must attend hostility, we think every thing is to be done and suffered to vindicate the national honour. These are the constant sentiments of our hearts, unmoved by irritations of the

moment. These, also, are the deliberate conclusions of our judgment. If any gentlemen suppose the war will be feeble and harmless, they are deceived. It must be severe and bloody. But it must be sustained manfully. And we have so good an opinion of England, that we think she will not like us the worse for fighting her on the point of honour. In the mean time, it becomes us to sustain the dignity of our character by the language and deportment of self-respect. Let it be remembered that foul and abusive terms come with propriety from the mouths of none but prostitutes and cowards.

In the following sheets we have endeavoured to avoid reproach and crimination. In some instances indignation has burst forth. We might, it is confessed, now soften the terms. But really there are occasions, on which wholly to restrain the warmth of expression, implies a defect of honest sentiment. And there are subjects also, to treat which in the cool style of narration, is to betray the cause of virtue.

Aware that it may be said we are personally hostile to the administration, we think it proper to put the question at rest, by declaring candidly our opinion. We consider, then, Mr. Gallatin as an efficient man of real talents. We did not approve, neither do we now approve, of his appointment; but we forbear to assign the reasons, because, as far as it has come to our knowledge, his conduct

is not reprehensible. We believe, moreover, that he is not swayed by pecuniary motives. We are convinced that he touched nothing in the Louisiana concern, and have no reason to suppose he will pocket any part of the sum to be expended in purchasing the Floridas. We consider Mr. Maddison as a man of considerable genius, though somewhat slow, and of great industry. We approved of his appointment. We knew indeed that he was a man of feeble mind; and had seen with concern that he gave himself up to Mr. Jefferson, without reserving the use of his own judgment. When we first knew him he was a youth of ingenuous temper, whose ignorance of the world exposed him to become the prey of any sharper (of either sex) by whom he might be assailed. From a defect of firmness in the texture of his mind, and perhaps also from a defect of education, he was not in the habit of recurring always to fixed principles for a decision on conduct and opinions. So long, however, as he hung on the arm of Washington, his course was steady, and gained him honour. But the instant he let go that hold, he fell into a rickety condition, from which he never recovered; and is now in a deep decline of character, for which we fear there is no remedy. The first violent symptom was a panegyric on the French constitution: the more extraordinary, as that instrument, in all its prominent features, was opposite to the constitution he had assisted in making, and

laboured earnestly and successfully in persuading us to adopt. It would be painful to mark the steps by which this gentleman has descended to his present condition; the mere instrument of Mr. Jefferson. We believe him still honest and well disposed. We think he would make an excellent first clerk in the Secretary of State's office, and sincerely regret the want of qualities and talents for the place he occupies. Mr. Jefferson is a man of pleasing, modest, unassuming manners. His conversation, generally amusing, is frequently instructive. Though not deep in any one science, he has that acquaintance with them all which becomes a scholar and adorns a gentleman. He has a considerable share of genius; and there is, in his deportment, an air of frankness and of deference to others, which are agreeable to all, and are sure of captivating the young and inexperienced. If there be blemishes in his private character, we have nothing to do with them. We consider him as a public man, and in this view he has great defects. Like others who have fallen into the idle habit of questioning established truth, his faculty of weighing evidence is impaired. Hence such an astonishing degree of credulity, that he could not only believe the French were free while suffering oppression the most cruel and bloody that ever poor wretches groaned under, but (finding it printed in a French book) he believed, and gravely told the Congress, there is a great mountain of salt in Loui-

siana. Mr. Jefferson has also the misfortune to be a schemer, perpetually occupied with some strange out-of-the-way project. If this were confined to speculation, it would be a harmless foible; but he tries to carry his projects into effect. Sometimes he prevails on the Congress to adopt them, and then poor sailors are sent a-ducking over the ocean in gun-boats. At other times he is less successful, as when he proposed to stow away ships of the line upon shelves. He labours also under such defect of mental vision, that he seldom sees objects in their natural state and true position; just as when we look through a fog, many things near us are not perceived, and those we see appear larger and nearer than they really are.

We have said Mr. Jefferson is not deep in any science. He is more deficient in that of politics than in any other; and indeed it is impossible he should ever become a statesman; because a clear, distinct, and comprehensive view of objects, with a ready conception of their bearings on each other, is a needful pre-requisite. A second pre-requisite is, so to weigh evidence, presumption and probability, as properly to give or withhold their faith; in short, to believe what we ought, and no more. A third is never to indulge notions which have not experience to recommend them: for though it be possible that after the many years which history numbers, and the many thousand events it records, something new in the science of ethics may be

discovered, it is not likely; and if it were, the maxim of physicians should be adopted, to make experiments on bodies of little value, and not on the body politic. If any gentleman assume as a principle that mankind can be governed by reason; and insist, notwithstanding the evidence of all history, ancient and modern, sacred and profane, that we may prudently rely on reason for the defence of nations, we would advise him to commence a course of experiments with his own family, and see how far reason will go there. If successful, let him proceed to those with whom he transacts business. Let him reason them into the support of his pecuniary or political views, without any regard to their own interest. If again successful, let him go or send to such a man as Buonaparte, and tell him 'tis unreasonable that boys should be taken from their parents to fight and perish in the plains of Poland. That, instead of employing large armies, it would be cheaper and better to pick out a few able negotiators, if any can be found among his own subjects; but if not, to borrow Messrs. Armstrong and Munro, and send them to persuade the Emperor of Russia and King of Prussia to surrender their dominions. That a proposition so reasonable in itself, and supported by so much eloquence, could not be rejected. If Napoleon, being persuaded himself, should in this quiet, friendly way, persuade his brother Alexander, the specific would indeed have the sanction of fair

experiment, and might safely be adopted. It would surely be a great improvement. Happy condition! without fleets or armies, judges or constables, laws or executioners, to sit secure and happy under the broad shade of reason! But if it should prove, on trial, that neither in a family, a city, a national assembly, or with a leader of nations, the force of reason can be relied on; if it should again, for the ten thousandth time, be demonstrated, that what has been true since the world began, remains true at the present hour, and the gentleman still insist on his project, he could not be much respected as a politician. But though Mr. Jefferson is not, and, from the reasons just mentioned, can never become a statesman, he is a man of great address. Having a quick sense of danger, he has studied the means by which it may be avoided. Knowing the instability of popular opinion, he knew that to rely on it was unsafe. He determined, therefore, to avoid responsibility. This is the cardinal point by which the course of his administration has been directed, with undeviating attention. Consistently with this plan, he associated the house of representatives in the exercise of his functions. The leaders to whom he applied, were charmed with the mark of confidence, and beyond all measure delighted with that republican spirit which, instead of seeking unlawful power, so freely and frankly discharged itself of the unlawful power with which it had been invested. When, over and above that excessive

condescension, the patronage of office was laid at their feet; when they were invited to select the proper subjects for appointment; and when they were told that they, the immediate representatives, were the organs through which he wished to learn that will of the people which it was his pleasure and pride to obey, how could they suspect the motive to be selfish? It was natural to believe the fountain pure when its waters were so refreshing. In this way, however, the house of representatives was brought to initiate executive business, and, taking responsibility from his shoulders, to invest him with unlimited power. Like a sly animal in the fable, who likes roast chesnuts, but will not put his paws in the fire, he crept behind the curtain, and persuaded a friendly cat to undertake that part of the business; content, provided he gets the nuts, to leave with others all the honour of raking them out of the embers. By this course of conduct, Mr. Jefferson has not only injured the constitution, and established a system of corruption; but (extending the web of intrigue to influence elections over the whole country) he has composed a congress of such materials, that respect for the national government is much diminished. He has placed himself also in a state of dependance, whereby he is driven to do unrighteous things, and which disenables him from becoming useful, should any course of events restore him to the love of honest fame.

Of the other members of our administration

nothing need be said; neither shall we take notice of those who are occasionally charged with communicating the President's wishes to the Legislature: a sort of ministers whom Mr. Randolph has described in terms of no little acrimony. Having mentioned this gentleman's name, we will add, that he appears to possess, in an eminent degree, some distinguishing traits of the Virginia character: A lively genius, a bold spirit, a high and haughty mind, with the habit of thinking for himself, and commanding others. Unfortunately for him, he took up false notions at an early period, and committed himself to such an extent, that he finds it difficult to eradicate the impressions from his mind, or free himself from the perplexities with which they entangle his conduct. The executive government, having studied his character, were glad to employ him. He was their sword and shield. But there were some views and plans which it was deemed unsafe to confide to a person of his temper. His indignation at the discovery was exprest in terms not easily mistaken. But though he flounces, he cannot break loose. He is not deficient in personal courage; but he dares not leave his party. Indeed, he is haunted by the panic fear, that the high and honourable sentiments he has expressed will lead the world to believe him a federalist. This apprehension, though whimsical, is not singular. It has, though with far less reason, laid hold of a kind of up and down man, who writes letters to his constituents in Vermont.

THE

THE

BRITISH TREATY.

THE gentlemen now in power used formerly to insist that republics should have no secrets. Times have changed, and they have changed with the times. We have secrets in abundance. Indeed, we have little else. The state of our affairs with foreign nations, and the conduct pursued towards them, are concealed with sedulous attention. But notwithstanding the care of our rulers, a corner of their curtain is sometimes lifted up. We have learnt a few state-secrets; and may, perhaps, in due time, bring them to light. For the present, however, curiosity must rest satisfied with The British Treaty; suspended, as every one has heard, on doubts and apprehensions in the President's mind. We make this communication, because, among other reasons, stories have gone abroad which are not true. We are far from desiring that our rulers should, on all occasions, tell all they know. But we think they should on no occasion give currency to falsehood. The treaty is said to have been sent back because a note delivered by the British negotiators required us to make common cause against France. No such note was delivered. It has been

reported also, that our non-importation law drove the minister of his Britannic Majesty into the required concessions. This also is among the things which are not. Without stopping to notice other aberrations from truth, we proceed to give the purport of that treaty, with a few observations.

The first article, like the first of that concluded on the 19th November, 1794, by Mr. Jay, is merely formal; and the second confirms the first ten articles of the old treaty. It is, therefore, proper to give a glance at them.

The first, as is already mentioned, is merely formal; and the second is executed.

The third gives to each party the right of passing through the territories of the other, in America, except within the limits of the Hudson's Bay Company. We find in it the following clause. "But it "is understood, that this article does not extend to "the admission of vessels of the United States into "the sea-ports, harbours, bays or creeks of his "Majesty's said territories, nor into such parts of "the rivers in his Majesty's said territories as are between the mouth thereof and the highest port of "entry from the sea, except in small vessels trading "bonâ fide between Montreal and Quebec, under "such regulations as shall be established to prevent "the possibility of any frauds in this respect: nor to "the admission of British vessels from the sea into "the rivers of the United States beyond the highest "ports of entry for foreign vessels from the sea. The

" river Missisippi shall, however, according to the " treaty of peace, be entirely open to both parties : " and it is further agreed, that all the ports and " places on its eastern side, to whichsoever of the " parties belonging, may freely be resorted to and " used by both parties, in as ample a manner as any " of the Atlantic ports or places of the United " States, or any of the ports or places of his Ma- " jesty in Great-Britain."

The fourth article, after mentioning that " it is " uncertain whether the Missisippi extends so far to " the northward as to be intersected by a line to be " drawn due west from the Lake of the Woods, in " the manner mentioned in the treaty of peace," provides " for a joint survey of the northern part " of that river ;" and agrees, that, " if on the re- " sult of such survey it should appear that the said " river would not be intersected by such a line," the parties will regulate the boundary in that quarter by amicable negotiation.

The fifth article, after mentioning that " doubts " had arisen what river was truly intended under " the name of the River St. Croix," provides for ascertaining that river, and the latitude and longitude of its mouth and source.

The sixth, seventh and eighth articles have been executed.

The ninth provides for persons holding lands in the dominions of one of the parties who are subjects or citizens of the other ; and the tenth is a

stipulation in favour of moral honesty, viz. that neither party shall sequester or confiscate debts or property in the funds, &c.

The third article of the new treaty provides for and regulates commerce between the United States and the British East-Indies, in the same terms as the thirteenth article of the old treaty, except that the words, *and sailing direct from the ports of the said States* are inserted in the first clause, which now runs thus: "His Majesty consents that the "vessels belonging to the citizens of the United "States of America, and sailing directly from ports "of the said States, shall be admitted and hospita- "bly received in all the sea-ports and harbours of "the British territories in the East-Indies," &c.

The fourth article of the new treaty is the same as the fourteenth of the old one, and stipulates for a general liberty of trade between the United States and the British dominions in Europe.

The fifth article of the new treaty is the same as the fifteenth in the old one (regulating the duties on ships and merchandize), with two exceptions: the first reserves to the United States the right previously reserved to Great-Britain, of imposing a tonnage duty equal to what shall be imposed by the other party. The second is made by substituting a new clause for the reservation, formerly made by Great-Britain, of "the right of imposing on "American vessels, entering into the British ports "in Europe, such duty as may be adequate to

" countervail the difference of duty now payable " on the importation of European and Asiatic " goods when imported into the United States in " British or in American vessels." Instead of this, the following words made part of the new article. " And in the trade of the two nations with each " other, the same duties on exportation or importation of goods or merchandize shall be imposed, " and the same drawbacks and bounties allowed " in either country, whether the exportation or importation shall be in British or American vessels."

The sixth article of the new treaty states that the parties cannot agree about our trade to the British West Indies ; but that " while they will attempt " an amicable agreement, both may exercise their " existing rights."

The seventh of this, like the sixteenth of the other treaty, provides for the appointment of consuls, &c.

The eighth of this, like the seventeenth of the other, provides for speedy decision on the capture and detention of vessels suspected of carrying enemy's goods or contraband of war. There is added a promise on the part of Great-Britain, that, hereafter, indemnification shall be granted for unjust seizure, for detention and vexation.

The ninth article is the same as the eighteenth of the old treaty (respecting contraband), only that tar and pitch are excepted from the catalogue, unless when going to a place of naval equipment.

The tenth article is the same as the eighteenth of the old (respecting blockade), with the addition, that passengers, not in the military service of an enemy, shall not be taken and made prisoners.

By the eleventh article, citizens of the United States may carry European goods to the colonies of enemies of Great-Britain (from the ports of the United States), provided that both vessel and cargo be, bonâ fide, American property, that the goods shall have been unladen within the United States, and that (in addition to that part of the duty already reserved from the drawback on exportation) the further sum of one per cent. ad valorem, on such goods shall be paid. They may also export, from the United States to Europe, the produce of colonies of the enemies of Great Britain, provided they, being neutral property, shall have been unladen as before, and that two per cent. ad valorem, be paid on exportation in addition to what is reserved on the drawback. After the expiration of the treaty, all antecedent rights on these subjects are to revive.

The twelfth article extends to ships of Great-Britain, and of all nations who shall adopt the same regulation, the protection of our neutrality from a marine league to five miles from our shore.

The thirteenth article is substantially the same as the nineteenth of the old treaty, regulating privateers.

The fourteenth is the same as the twentieth of the old treaty, respecting pirates.

The fifteenth article of this treaty, like the twenty-first of the other, prohibits the subjects or citizens of one party to accept commissions from enemies of the other, and to commit acts of hostility.

The sixteenth, like the twenty-second of the other, forbids reprisals before a demand of satisfaction.

The seventeenth is the same as the twenty-third of the old treaty, which, after stipulating that "the "ships of war of each of the contracting parties "shall at all times be hospitably received in the "ports of the other," provides that American vessels driven by "stress of weather, danger of ene-"mies, or other misfortune," to seek shelter, shall be received in ports into which such vessels could not ordinarily claim to be admitted. This stipulation is now made reciprocal.

The eighteenth article, like the twenty-fourth of the old treaty, prohibits the armament of privateers belonging to the enemies of either, and the sale of their prizes in ports of the other party.

The nineteenth is the same as the twenty-fifth of the old treaty, permitting ships of war to bring in their prizes and take them away again without payment of duties, and prohibiting the entry of ships of the enemies of either party, which shall have made prize, unless driven by stress of weather; in which case they are to depart as soon as possible.

The twentieth is the same as the twenty-sixth of the old treaty, providing for merchants and others in one country when war breaks out with the other.

The twenty-first of this, like the twenty-seventh of the other, relates to giving up persons charged with murder or forgery.

The twenty-second is a new article respecting shipwrecks, and promising humane treatment.

The twenty-third secures to each the rights of the most favoured nation, and declares that "all "treaties hereafter made by either with any nation, "shall, ipso facto, be extended in all their favour-"able operations to the other."

The twenty-fourth engages to join in abolishing the slave trade.

The twenty-fifth contains the stipulation that this treaty is not to interfere with antecedent engagements. And,

The twenty-sixth limits the duration to ten years from the exchange of ratifications.

It is dated the 31st December, 1806; but previous to the signature two notes were given, by the British to the American commissioners. The first keeps open for future discussion a claim of Britain not to pay more on goods sent from Canada or New-Brunswick, into the territories of the United States, than is paid on the importation of such goods in American ships. The second note declares that the King of Great-Britain has directed his commis-

sioners, before they sign the treaty, to deliver that note, in order that a fair understanding may be had by all parties of his Majesty's views, in consequence of the blockading decree, to which the attention of the American commissioners is invited. The decree is so recent in point of time, and so novel and monstrous in substance, that his Majesty is at a loss to calculate on events; but supposing, however, that it will be formally abandoned, or totally relinquished by Bonaparte, or, in case he is mistaken in that supposition, he rests with confidence on the good sense of the government of the United States, that they will not submit to an innovation so destructive of the rights of neutral commerce. Should he, however, be mistaken in all these points, and the enemy should actually carry into execution his threats, and neutral nations acquiesce in such usurpation, he may probably, though reluctantly, be obliged to retaliate. The treaty secures to the United States so many privileges of neutral commerce, that, at a time when his Majesty and all neutral nations are threatened with such extension of belligerent pretensions from his enemies, without any explanation from the United States what they will do in case Bonaparte attempts to force on them his decree, his Majesty must reserve to himself to act according to contingencies in that particular, the signing of the treaty notwithstanding. And as the distance of the American commissioners from their government renders a previous explanation

impossible, his Majesty authorises his commissioners to finish the treaty. This is done under the fullest persuasion, that, before the treaty returns to Europe, from America, ratified, time will discover the formal abandonment or tacit relinquishment, of the enemy, of his pretensions; or in case that should not take place, that the government of the United States, by their conduct or assurances, will secure his Majesty that it will not submit to innovations so destructive of maritime rights. But in case Bonaparte enforces his decree according to its tenor, and if neither by the assurances nor conduct of America a disposition is shown to oppose it, his Majesty wishes it to be fairly and clearly understood, that he will not consider himself bound by the signature of his commissioners to ratify; or in case he ratifies, he will not and cannot be precluded from adopting such measures as may seem necessary for counteracting the designs of his enemy, whenever they shall occur, and be of such an extraordinary nature as to require extraordinary remedies.

Before we notice particular parts of this treaty, it seems proper to observe that the signature of ministers, confidential agents, under immediate control of the chief executive magistrate, imposes on him the duty to ratify what they have done. Cases may indeed be put in which this duty, resulting from principles of good faith, does not attach. Thus, when the agents employed have either foolishly or corruptly betrayed their trust, and vio-

lated their instructions, he, from whom their authority was derived, has, in reason and conscience, the right to disavow them: for it is well understood that the general power conferred, by his commission, on a diplomatic agent, is specially limited by his instructions; so that if he promise what they do not authorize, his principal is not bound by the unauthorized engagement. Hence, the prudential reserve, that treaties shall be ratified before they take effect. But in a case of this sort, it follows, of course, that the agents be recalled as well as disavowed. Otherwise it is fairly to be inferred, that they have not exceeded or varied from their instructions, but that their master breaks his faith to remedy the mischief resulting from his improvidence.

It cannot be forgotten how strenuously the gentlemen now in power used to insist that America, happily placed at so great a distance, should keep herself free from the negotiations and the wars of Europe. The phrase was "let us have nothing to "do with them." A respectable federalist once replied: "Very well, gentlemen. But how will "you prevent them from having something to do "with you?" Indeed this, like other maxims of the same origin, is not only questionable on the ground of policy, could we conform to it, but is utterly impracticable. It was used, however, with considerable advantage on certain occasions. If, for instance, it was said of any one whom these gentlemen did not like, he is well versed in the

political concerns of Europe, it was promptly and pertly asked, What have we to do with Europe? And if it was observed that such men should be employed to negotiate our treaties, the complete answer was, We want no treaties. Sometimes it was added, with characteristic sagacity, let us take care of ourselves. But how? Without entering into broad questions of expedience, or examining how far we should connect ourselves with other nations, we shall only remark, in this place, that our administration after publishing those notions as sage maxims of state, year after year, before they came into office, have been occupied in negotiation ever since. With what ability we presume not to say. With what success will hereafter appear.

A prudent man, called on to transact business with which he is unacquainted, applies to skilful persons for assistance. But if in the common affairs of life, with which all are in some degree conversant, prudence dictates the propriety of employing agents of skill and experience, how much more are we called on to entrust such persons alone, with the negotiation of national concerns; seeing that these can be but little known to the greater part of mankind. It would require a diplomatic treatise to show in how many ways an ignorant negotiator may be deceived, to the injury of those whom he represents: a treatise which such negotiator would perhaps disdain to read, and which would therefore be useless, for able men do not

want it, and the great mass of the community have sufficient employment in their own concerns. To give, however, some general idea on this subject, we will take one of the usual stipulations in a commercial treaty, viz. that which grants to both parties all the rights of the most favoured nation. This seems, at the first blush, fair and equal. Whether it be so in reality, must depend on what those rights are; and to acquire a knowledge of them, the treaties which each has formed with other nations must be carefully examined. That we may not, on this occasion, offend any particular sect of politicians, we shall seek an example in the farthest regions of Asia. The Emperor of China opens to foreigners only one port in his dominions, where he treats them all alike. All participate in the scanty permission to trade with an exclusive company of Chinese merchants; and all feel the contempt of that people and government for every stranger. Let us suppose a treaty made with the Emperor, by the United States, in which the above mentioned clause should be inserted; and let us also suppose, that by a treaty with some other power, Prussia for instance, reciprocal liberty of trade had been given; each party paying, in the ports of the other, no greater nor other duties than native citizens. The Emperor might, in that case, claim for his subjects, a right to trade with every part of our country as freely as our own citizens, and yet

confine us to a single port of his dominions, permit us to trade with none but particular merchants in that part, and oblige us to pay higher duties than his own subjects. True it is, we might object to his claim, and insist that he should pay for a free trade with us the same reciprocity with which it had been purchased by Prussia. We will not enter into the argument, because the main bearing of it is not now before us. We mean only to show, by a plain case, that he who negotiates a commercial treaty ought to know something of the situation in which the other contracting party stands. It would not be amiss, also, that he should know a little of commerce, and of the law of nations.

We proceed now to make a few observations on the treaty above communicated; and, for the greater perspicuity, shall notice in their order the provisions it contains, and then something which it does not contain.

On the first and second articles of the old treaty there is nothing to be said; bnt the third merits a little attention. It is, however, to be premised, that, standing among those which were made perpetual, the British negotiators might have objected, had it been proposed, on our part, to expunge it; although by the course of events it had become void in some respects, and unreasonably burthensome in others. These events, however, entitled us to insist on certain modifications, It will be recollected that this article, after granting the reciprocal right

of passing through the territories of each other in America, formally excepts the country lying within the limits of the Hudson's Bay Company, and (in consistence with the British colonial system) prohibits American ships from entering the ports or navigating the rivers of his Britannic Majesty; with this single exception in our favour, to pass between Quebec and Montreal in small vessels, subject to British regulations. We, on the other hand, give them a right to enter all our rivers, and to navigate freely to the highest ports of entry: But, with respect to the Missisippi, it was stipulated that it should remain (according to the treaty of peace) open to both parties, with a reciprocal right of resort to all the ports and places on its eastern side.

A person who cursorily views the subject may wonder at the last mentioned stipulation: and indeed the clause relating to the Missisippi in the treaty of peace itself, has, to some, been a matter of surprise. Information, therefore, may not be improper. It is well known, that, by the treaty of peace, the Missisippi, down to the thirty-first degree of north latitude, became our western boundary; and that, by the provisional articles executed the 30th November, 1782, (long before the peace between England and the other belligerent powers) it was stipulated that they should be inserted in, and constitute the treaty of peace. This, however, was not to be concluded until terms of peace

should be agreed on between Britain and France. These were so long on the anvil, that our definitive treaty was not concluded until the 3d of September, 1783; near a year after signing the preliminary articles. The Floridas had (as every one knows) been ceded to England, in 1763, and taken by Spain in the course of our revolutionary war. It is an acknowledged principle of public law, that conquest of territory is not complete until a cession of it is made by the treaty of peace. Britain had, therefore, when our provisional articles were signed, a postliminary right to the Floridas; and she had the intention to enter again into possession, which intention was communicated to us. Consequently, when the British and American negotiators stipulated with each other for the free navigation of the Missisippi, each gave a real substantial right, and each received a real substantial compensation. That Great Britain intended to reserve to herself the Floridas, appears from a secret article relating to them in the provisional articles; and her treaty with Spain was negotiated, and agreed to, conformably with that intention. It was stipulated that Spain should restore them, and receive an equivalent. But circumstances, foreign to the present inquiry, having led his Britannic Majesty to decline granting the equivalent proposed, he at length consented to cede the Floridas in full right to Spain. According to our construction of the provisional articles, Spain received that country

subject to the right of navigation which we had acquired. She, however, might well contest the point, because the grant was made to us by a power not in possession at the time, nor at any time after. The controversy with Spain respecting that navigation cannot be forgotten. We of course availed ourselves of every argument, and among others asserted the supposed right of those who dwell on the banks of navigable rivers to pass through the territory of their neighbours in their progress to the sea. This question, often agitated, has been decided differently, in fact, according to the different relations of power; but in principle and general practice it has been held that no such right exists. A strong case in point is that of Denmark, who exacts a duty from ships of all nations passing to and from the Baltic. The grant of Britain, therefore, being one ground of our claim, then unsettled with Spain, Mr. Jay prudently inserted a recognition of it in his treaty. The stipulation, in so far as it related to any right conferred on Britain, was indeed a nullity; because the Missisippi, not extending so far north as had been supposed, she did not possess one inch of territory on its shores: neither had she any right, or even pretext to enter its mouth, then in peaceable possession of his Catholic Majesty.

Such was the state of things when the old treaty was made; but circumstances have materially changed. We have purchased, not only that part

of West Florida which joins the Missisippi, but the island of New-Orleans also. It is true, that, from conduct which we shall not, on this occasion, develope, we have furnished to Spain a good pretext, perhaps a good reason, for withholding our share of West-Florida. But let those matters be settled as they may, it is unquestionable that we have acquired the right to exclude the British from the Missisippi. Should it be pretended that the stipulations in the old treaty give them a right to navigate the river, it may be answered, first, that those stipulations are made in reference to, and conformity with the treaty of peace; and, secondly, that our grant extended only to things which we possessed, and can by no fair construction embrace what we might afterwards acquire. This principle of common sense forms an acknowledged maxim of public law.

We conceive it evident, therefore, that British vessels have no more right to enter the Missisippi than American vessels have to enter British harbours in the West Indies. Whether it would be wise to grant such right may be questionable; but certainly we ought not to grant it without an equivalent, much less in the very article, and, as it were, in the same breath by which we renounce our claim to enter and navigate the St. Lawrence. We have on the shores of this river, and of its tributary waters, a great extent of valuable land; yet, by the sweeping clause which confirms, without modification, the

first ten articles of the old treaty, we should resign all claim to navigate the St. Lawrence from the sea, and afford to the British a pretence to navigate the Missisippi through its whole extent. Such would, we presume, be the construction of British commentators. If denied on our part, it might become the source of cavil, perhaps of quarrel. If admitted, we should discover that the concession of a great and valuable privilege had been unwittingly made, without the slightest equivalent. Should Great Britain wish to trade with us on the Missisippi, she would certainly pay for it, by granting us a like permission on the St. Lawrence. This would do her no injury, nor even occasion any inconvenience. Nay, it might, under certain circumstances, be advantageous to her. To us it is of great and growing importance. Our territory on the waters of the St. Lawrence is worth much more than what we purchased from France, and have now to dispute with Spain, under the name of Louisiana. Our citizens who inhabit that part of America, would be materially benefited if their produce could be sent, in American bottoms, free from war-freight and insurance, to seek the best markets. They are at present confined to the ports of Montreal and Quebec, where they must take the prices British merchants choose to give, or transport their goods one hundred and fifty miles to Albany.

The fourth article of the old treaty was framed

to obviate difficulties in the second article of the treaty of peace, fixing as our northern boundary a line to be drawn due west from the Lake of the Woods to the Missisippi. And the fifth was framed to obviate difficulties respecting our eastern boundary.

Subsequently, however, to the year 1794, a survey of the interior of America, by British merchants established in Canada, under the name of the North-West Company, had proved that a line due west from the Lake of the Woods would run north of the Missisippi; so that no further measures were needful to ascertain that point. The River St. Croix, also, had been identified. Two points, however, remained to be settled; the line from the Lake of the Woods to the Missisippi, and the termination of that which was to run north from the source of the St. Croix, on which depends a large tract of country in the district of Maine. Connected also with our eastern boundary, is an object of little intrinsic value (Moose Island), but important to the trade of Massachusetts, and to the revenue of the United States. Another matter of considerable importance, particularly to the State of New-York, had remained unnoticed. This was the ascertaining those islands in Lake Erie, Lake Ontario, and the River Saint Lawrence, which belong to the United States. Much time must elapse before the north-eastern corner of Maine, or the regions at the source of the Missisippi, can be cul-

tivated or sold; but it was discovered in 1801, that depredations were committed on islands in the St. Lawrence, producing excellent white pine, and on islands near the mouth of Detroit, covered with valuable red cedar. It is, moreover, self-evident, that a tract of doubtful jurisdiction, extending upwards of one hundred and twenty miles along the northern frontier of New-York, from the village of St. Regis to the head of Grand Isle, must impede the regular course of justice, and encourage to the commission of crimes by the hope of impunity. In the first year of Mr. Jefferson's administration this matter was brought before Congress, and, after due investigation, appeared of such importance, that "a sum not exceeding ten thousand dollars was "appropriated to defray the expense which should "be incurred in negotiating with the government of "Great-Britain, for ascertaining and establishing "the boundary line between the United States and "the British province of Upper Canada." This law was approved by Mr. Jefferson on the third day of April, 1802. The object of the Legislature could not be mistaken, for the appropriation of money shows they did not contemplate merely a convention between the American minister in London and the British cabinet, that would cost nothing. The amount of the sum granted proves also that it was the intention of Congress to have the business performed in a solid and durable manner. The President must therefore have known, even if the

object had not been specially declared by those who brought it forward, that it was the desire of Congress to *ascertain* and *establish* the boundary line by commissioners, who should repair to the spot, designate the limits, and cause proper monuments to be erected. Every one acquainted with our public proceedings knows that a grant of authority is considered as an injunction to perform the act specified. That gentle manner of expressing the public will was adopted from respect for the first magistrate. Moreover, if the two houses should require any thing which he deems improper or inexpedient, he will of course withhold his assent; wherefore his approbation implies a promise that he will comply with their wishes. Thus then the law just cited amounts to an order of Congress, and a promise of the President to *ascertain* and *establish* the boundary between the United States and Upper Canada. It remains to inquire whether that engagement has been complied with; and if not, what were the impediments.

Instructions were given to the American minister in London, which embraced all the matters above mentioned, excepting, only, those contemplated by the law. The minister accordingly treated with the British government; and such was their confidence in him, and their liberality towards us, that he was desired to frame a convention agreeably to his own wishes. He drew it in the very words of his instructions, and it was

immediately executed. Every thing asked was granted, and there can be no doubt that, if the object of the law had been brought forward, it would have been as readily and as satisfactorily adjusted. At present it remains as it was, the evils daily increasing.

The convention, however, made complete provision for the subject matter of the fourth and fifth articles of the old treaty. It fixed our eastern boundary, settled the course of a line from the Missisippi to the Lake of the Woods, and confirmed our title to Moose Island. It was duly sent over to America; was received, and was mentioned by the President to the Congress as a satisfactory arrangement. So far all went on smoothly. But previous to a ratification, the Louisiana treaty came forward, and seems at once to have fascinated our administration. Instead of considering the conditions of this costly bargain, they considered only how they should secure the merit of making it, to themselves. And instead of adopting prudent measures to possess the valuable tract east of the Missisippi, which was clearly within the grant, they set their fancies to work in stretching the boundary north and west, so as to reach the polar circle and Pacific Ocean. Careless of the centuries which must roll away before we can populate our old domain, the President, in his anxiety not to lose one acre of those prodigious deserts which extend from Lake Superior to Nootka Sound, refused to ratify

the convention, lest it should be supposed that something was thereby surrendered of what we had purchased under the name of Louisiana. This may seem incredible, and we will not vouch for the truth. The true cause of his refusal may be one of those mysteries which it is convenient to hide from the people. But it is a fact that the convention was not ratified, and that the President assigned, for the omission, the reason just mentioned. Whether it will satisfy our fellow-citizens we cannot pretend to guess. Perhaps, like other things which pass our comprehension, it may be sanctioned by that confidence in his wisdom which numerous individuals and respectable bodies so eagerly announce to the world. We believe, and not without reason, that it gave great umbrage to the British court. They considered themselves as trifled with, and could not help considering those who administer our government as capricious and inattentive to the rules of good breeding and the principles of good faith. When we compare the tenour of the note, above mentioned, from his Britannic Majesty, with this deportment of our President, the advantage, we are sorry to say it, is all on the monarch's side. His commissioners had agreed to a treaty; but, at the moment of signing, a circumstance of extraordinary nature arose, leading to a belief, that, should the claim set up by his enemy be acted upon, and should we submit to threatened plunder, the great duty of a sovereign to protect

his subjects might compel him to adopt measures of retaliation. Under circumstances of that sort, the injury we might sustain would be justly imputable to our own conduct. We could not, therefore, have complained: and no previous explanation on his part was necessary. Yet, so scrupulous was the King, so anxious that his reputation for good faith should be not only unsullied but unsuspected, that he provided against all possible imputation by a clear and pointed declaration. Our President, on the contrary, after ordering negotiation, after obtaining a convention, in the very terms he had dictated, and after publicly declaring his satisfaction with it, all at once refuses to ratify. What excuse he may have made, or whether he made any, we pretend not to know; but we hope he did not assign the reason above mentioned; because it is not only insufficient, but dangerous. It is predicated on the false position, that covenants respecting territory we possess will be obligatory as to that which we afterwards acquire. Whence it would follow, that the purchase of Louisiana, and that which we are about to make of the Floridas, must enure to the benefit of England for every commercial privilege in the treaty of 1794.

Having taken this cursory view of the ten permanent articles in the old treaty, we proceed to those matters, the provisions relating to which had expired. It will be recollected that the gentlemen by whom, and under whose auspices the new

compact was formed, had selected, from the whole of Washington's administration, the treaty with England as the object of their peculiar censure, and most pointed crimination. That treaty, though negotiated under circumstances of peculiar difficulty and disadvantage, was devoted to popular odium without examination. It was said to curtail our trade, drain our treasury, surrender our seamen, restrain our manufactures, discourage our agriculture, involve us in war, and degrade us to the state of British provinces. That treaty, concluded by a statesman of sound sense, consummate prudence, and incorruptible honesty; approved by a Senate of no mean talents, and ratified by the illustrious Washington; that treaty, for defending which, men respected for their discernment, their judgment and fidelity, were exposed to the insult of an enraged and misguided populace; that treaty is no more. After fulfilling the hopes of good men, and falsifying the predictions of others; after procuring a surrender of the western posts, and thereby terminating Indian wars; after closing the wound our public faith had received, by laws contravening the treaty of peace; after obtaining, for injury done to our trade by British cruizers, a compensation greater than any thing which had ever been paid by one nation to another; and, above all, after securing us from an alliance with France, by which we could have gained nothing, but must, like her other allies, after the loss of our wealth, our

commerce, our industry, and our morals, have sacrificed our independence on the altar of Gallic ambition; that misrepresented, decried, and vilified treaty has expired. It expired when its enemies had exclusive possession of the government; when, by the influence of party, they had unlimited power; and when a majority of the people, renouncing the use of reason, reposed in them unbounded confidence. It expired when England, whom they had pourtrayed, in 1794, as on the verge of bankruptcy, and in the last stage of decrepitude, was not only laden with a new and accumulated burthen of debt, but was engaged, singly, in a war against France, Spain and Holland. America, on the contrary, had increased in strength and wealth beyond all example, and possessed resources beyond all hope. In a word, we were released from our engagements with Britain, at the moment of all others, when those now in power, had their opposition been founded in reason or truth, were bound to perform what they said it was so easy for their predecessors to accomplish; and for the omission of which, they branded with foul imputation the ablest and best men in America; men who would do honour to any age or nation. In these circumstances it might be asked, if our rulers have remedied (in 1806) the evils which (in 1794) they imputed to their predecessors as criminal neglect. It might be asked whether England had ceased to impress seamen from American

vessels, and permitted our ships to protect the goods of her enemy? Whether she had reduced the impost on our raw materials, or taken off the excess of duty on her own manufactures exported to America, beyond what they pay on going to other countries? Whether she has permitted us o enjoy a free trade with her colonies, or modified her navigation act in our favour? Whether she has discontinued the exercise of her right of search, or relinquished her system of blockade? To these questions no satisfactory answer can be given. We shall not, therefore urge them. It is not our object to be severe; for if it were, we should say, Gentlemen, you complained of sacrifices made by the treaty of 1794; and not only opposed the ratification, but tried hard to excite opposition, after it had been ratified, and thereby become the supreme law of the land. Now, then, point out distinctly those sacrifices, if you would exculpate yourselves from the charge of uttering falsehood to excite sedition. And having designated them, give good reason for bearing patiently, now, when there is nothing to be gained, and nothing to be feared, what you insisted should not be submitted to then, for valuable consideration, and to avoid impending danger. In the alternative to which you have reduced yourselves, say—were the American people deceived then, or are they betrayed now? This would be the language of crimination. But we have no wish to criminate. We really believe these

gentlemen complained so much because they knew so little.

We proceed, therefore, coolly and impartially to examine what they have done, and to compare it with what they denounced. If their work be better, let them, notwithstanding the more favourable circumstances, have praise and glory. If worse, let us pity and forgive. They insisted, that with respect to our India trade, the old treaty had worked material injury, by depriving us of privileges enjoyed before—That it took away the benefit of coasting between the different ports of Asia, and prevented us from supplying Europe with commodities direct from India—That it was a grievous hardship to be obliged to return home, and unlade the cargoes of the East before they could be vended abroad—That a little intelligence would have taught our negotiator the importance of the privileges he gave up, and a very little firmness have enabled him to secure them. To prove his incapacity, or infidelity, it was observed, that immediately after the treaty was made, an act of the British Parliament bestowed, gratuitously, on all the world, more than we had obtained by great sacrifices. It was vain to reply, that what one law had granted, another might resume—That to secure great objects, by surrendering small ones, was better than to leave both at the discretion of those who might take them away—That although the interest of Britain led her, at that moment, to per-

mit, that we, and others, should enjoy more than she had granted to us by treaty; yet her interest might change, or new men might adopt new measures, from false or partial views, from pique or caprice. To this, and to every thing else, a deaf ear was turned. The object was not to reason, but to condemn; and therefore assertion was accepted for proof, and clamour for argument. Let us then compare the third article of this new treaty with the thirteenth of the old one, and see how our India trade will stand. Worse than before—much worse. Every old restriction remains, and a new one is added of most serious effect. Our vessels trading to India must now sail direct from ports of the United States. Formerly they could be fitted out and laden in Europe. They could proceed from Germany or Holland to France and Spain, take in brandy, wine, and bullion; thence to Madeira, and so on. This cannot now be done; they must sail *direct* from the United States.

It has already been mentioned, that the fifth article of the new treaty contains regulations respecting the duties on ships and merchandize. To estimate their worth, we must compare them with provisions made, on the same subject, by the fifteenth article of the old treaty. This reserved a right to Britain of countervailing, by duties on our vessels entering her ports, the excess of duties paid on European and Asiatic goods in her vessels entering our ports: a difference which operated

strongly in our favour, and made us, almost, the exclusive carriers of articles for our own consumption. Britain saw, with concern, the flourishing state of our navigation; and tried to restrain it by making regulations according to the right she had reserved. But the attempt was vain; for she could not lay a burthen on the articles carried to her in our ships, without injuring her general system of trade and manufactures. Thus, although each enjoyed equal rights, ours could be, and were, exercised with advantage; her's were useless. A difference of this sort must exist, when nations, under circumstances materially different, make reciprocal covenants of the same import. Of this the new article before us presents an instance of no common magnitude. It declares that the same duties, drawbacks, and bounties shall be allowed, by both parties, in the trade of the two nations, whether the exportation or importation shall be in British or American vessels. By these few, but potent words, our relative situations are completely reversed, and a few years of peace would nearly annihilate our navigation. This, apparently, liberal provision was always a favourite object of the late Mr. Fox, whose intuitive genius saw clearly its effect. Indeed, rather than fail of obtaining it, he was willing to open, on the same terms, their West Indies to our shipping. It was a favourite also with our President, because it has a sort of philosophic appearance: perhaps also, because it seems to favour those who cultivate

tobacco. That it would injure them, as well as every other class of the community, is evident, both from reason and experience. It is evident from reason, because that commodity must, like others, be reduced in price, when one nation has a monopoly of the trade; and that must happen when the navigation of the world belongs to one nation. It is evident from experience, because the price of tobacco has advanced as American navigation has increased. But without spending time in seeking the reasons for particular opinions, let us examine the article. There was a time when ships could be built, in the United States, cheaper than in Europe; and although they were navigated at greater expense, yet the advantages of sailing derived from their construction, and the superior activity of our seamen, enabled us to compete for freight with the Dutch and English. But circumstances have greatly changed. Ships, from the high wages given to our mechanics, and the high price to which timber has risen, cost more than in Europe. Sails and rigging are out of all proportion dearer, and so are seamen's wages. In time of peace, insurance will also be cheaper on British than on American ships. Thus, then, we are to contend for the carriage of our produce, and of the articles we consume, with a nation possessing the advantage over us in equipping and navigating ships, as well as in the insurance. Perhaps it may be said that we can build as cheap as the English;

and it shall, for argument's sake, be admitted that we might build even a little cheaper. But this circumstance would be of little avail when opposed by others so much more powerful. Nay, were they all equal, the superior capital of Britain, and the resulting lowness of interest, would be decisive in her favour. It may be said that trade and money seek a level, which in time would be found. In other words, that the wages of ship-carpenters, black-smiths, rope-makers, sail-makers, and seamen, would fall so low, from being out of employ, that, notwithstanding the higher price of hemp, iron, copper, duck, and cordage, our merchants might (at some future day) resume the contest with better chance of success. Rare consolation! Our merchants being ruined, and, in consequence, the dependent members of our country's commerce reduced to misery, these poor people, to obtain bread for their families, must work lower than men of the same description in Europe, so as thereby to compensate the higher price of materials: in which case a merchant may begin again, if he shall have been so prudent or fortunate as to save a little from the wreck of his affairs. On general principles this result might be admitted. But is it certain that our sailors would remain idle rather than embark in British bottoms? Is it certain that the numerous artificers now employed in building and equipping ships, would quietly starve, instead of seeking other employment? Is it certain that young

persons would continue to learn trades of such little hope? We acknowledge that different impressions are made upon our minds. We believe that the blow given to our trade and navigation by this improvident concession, would throw them back to what they were twenty years ago. And we have no shadow of doubt, that by the prostration of our commerce, every order of our fellow citizens would be grievously afflicted.

But if the fifth article of the new treaty be of such portentous import in itself, what is it when connected with that which immediately precedes, and that which immediately follows; or rather, what is it not? We have seen that our ships trading to India must sail from and return to our own ports; and that, in the trade of the two nations, equal duties shall be imposed, be the ships British or American. When these conventions are ratified, nothing more will be needful for Britain, to perfect her system, than to modify the monopoly of her India Company, so far as to permit all her merchants to trade freely with Asia, provided they do not bring Chinese and Indian wares to Europe. A British ship could then sail from London, pick up in the way whatever might be needful to the assortment of her cargo, traffic along the coast of Malabar and Coromandel, proceed to China, and at length come full fraught with tea, coffee, sugar, spices, silks and cottons to the United States. She could undersell her own adventures in our own

ports, and return, laden with our most valuable commodities, and our coin, to reward the industry of those who live under a wise government. If any one should imagine, that we could trade to India, under such disadvantages, we intreat him to apply for information to an intelligent merchant in whom he has confidence. We could show, by facts amounting to a demonstration, the truth of what we advance; but it would occupy too much space. We refer to merchants, without regard to their political sentiments. But the India trade requiring large capital, it is possible that small dealers may, under the influence of envy, be not unwilling that foreigners should run off with the benefit which has hitherto cheered and cherished our commercial enterprize. Let such persons look at the next succeeding article, which states, that as the parties cannot agree about our trade to their West Indies, they will attempt an amicable arrangement, and, in the mean time, both may exercise their existing rights. A more cutting irony was never perhaps inserted in a national compact. What are the existing rights? That of the British is to exclude us from their islands; a right they will certainly exercise. If, in return, we prohibit them from bringing the colonial produce from the islands direct to us, we must go and fetch it from Europe; paying, of course, in addition to the prime cost in the islands, a freight across the Atlantic in their ships. But the mischief would not stop there. They would

not give us the trouble of fetching it, but would themselves bring it out; for which we must also pay. They could underwork us, for the reasons already assigned; besides, their ships, which must otherwise come in ballast to take a cargo of lumber to the West Indies, or other bulky produce of the United States, would for a very light freight bring us rum and sugar. Nay, they would have a still greater advantage. Returning to Falmouth from the West Indies, they would only go through the ceremony of entry and clearance, and, saving all charges and commissions, come directly over to the United States. To exercise our right, therefore, in this way, would only do us mischief. It may, perhaps, be supposed, by some, that we could supply our wants from the French or Spanish islands. But it is easy to see, that every other nation would be as eager to secure to itself the whole advantage of its colonial trade as Great Britain, and indeed we have found it so by experience. Besides, it is a strange way of conducting business to make a very bad bargain with one, in the very uncertain hope of a better bargain with his neighbour. We have, however, another right which is not impaired by the treaty. It leaves us at liberty to make them pay roundly on the export of our produce to their islands; but this would be a bounty on the agriculture and arts of Canada and Nova Scotia, than which nothing could be more agreeable to the British government. Such duty, however, cannot be laid;

for although the right is not impaired by the treaty, the exercise of it is inhibited by the constitution. To say, therefore, with apparent equity and equality, that both may exercise their existing rights, is bitter mockery to men in our pinching condition.

It has often been remarked by observers of human nature, that the fond and foolish many (in the blindness of ignorant passion) run counter to their own wishes, and do precisely what they strive to avoid. If such inconsequence were chargeable only to those who, enrolling themselves under the banners of faction, have the prescriptive right to be absurd, it would be so much in the common order as not to deserve a moment's notice. But the bell-wethers of the flock are, generally speaking, as poor and simple cattle as the rest. It is supposed, that they who direct our affairs, if they have any special sentiment beyond the desire to continue in office, are moved by a snarling, snappish humour towards England. Indeed, they have reason to be somewhat angry with the British government, because its measures have defeated their claim to the character of statesmen. It is certainly owing, in some degree, to the efforts of that government, that England has neither become bankrupt, nor been enslaved, nor starved, nor subdued by France; all which they have constantly predicted for the last fifteen or twenty years, with a zeal and perseverance the more laudable, as they derived no support from reason, truth, or probability. Men who look

only skin-deep for motives, and take words for the evidence of things, were led to suppose that they who coupled Washington and Britain together, for the sake of abusing both, were as much the enemy of one as the other; and that, when in power, their measures would be marked by wrath against the lords of the ocean. But no opinion could be more unfounded: so far, at least, as action is concerned, the hostile temper, if it really exist, has produced only acts of friendship and good will. There has indeed been much complaint, much cross language, and not a little of idle, empty menace. But what evidence have our rulers given of a disposition to injure Britain, or even to secure our country against her power? Have they prepared a fleet to join other powers in vindicating the liberty of the sea? Have they fortified our ports against that aggression which we have to apprehend from Britain alone? Have their regulations at home, or negotiations abroad, assisted the spirit and enterprize, which have raised us to be the second naval and commercial nation? Surely they have not. They have boasted, negotiated, been flattered, and duped. They have laid our commerce and navigation at the feet of Britain; so that a stranger, who, deaf to the clamour, should attend only to the conduct of our rulers, might suspect that some of that British gold, so much talked of, had found its way into their pockets. We take this occasion, however, to declare, that we harbour no such unworthy idea.

In the eighth article, after agreeing, as in the seventeenth of the old treaty, that all proper measures shall be taken to prevent delay in deciding the cases of ships and cargoes brought in for adjudication, on the suspicion of enemy's property or contraband of war, and in the payment or recovery of any indemnification adjudged or agreed to be paid to the master or owners: the British commissioners have added, on the part of their sovereign, a promise, that hereafter indemnification shall be granted for unjust seizure, and detention, and vexation. This gratuitous covenant is a master-piece. The tribunals were bound by the principles of public law to award, adjudge, and enforce prompt payment of indemnification for the injuries specified. What, then, is the effect of this promise? It neither imposes a new obligation on the admiralty courts, nor invests them with a new authority; but rather implies a doubt with respect to the law; because, if that be acknowledged, no auxiliary promise can be required, unless indeed the national justice be questioned; in which case no promise can be relied on. Thus, then, the law, which, founded on reason and equity, would be liberally construed, is reduced to a gratuitous engagement; which being penal, as regards delinquents, will be construed strictly. Wherefore the power of the court remaining as it was, the exercise of it is restrained; and our right is rendered less clear, and must become less productive. Such appears to us the necessary

effect of any such provision, be the form what it may. But the British commissioners, by inserting the word *hereafter*, have taken from us the claim to compensation for injury, already, sustained. And our negotiators, by admitting that word, have given up thousands due to their fellow-citizens. American suitors, in the British courts of Admiralty, will now be told, that under the law of nations, as it stood before this treaty, violence would have been punished, and indemnification been granted for injuries sustained; but the two nations having agreed to bury the past in oblivion, the hands of the judge are tied up by the act of his superiors. That he cannot grant, neither ought they to ask, what the two governments have agreed to relinquish.

The dexterity of the British commissioners is again displayed in the eleventh article. The questions which gave rise to a pamphlet called War in Disguise, and to a book written by Mr. Maddison, are fresh in the recollection of all. This book, indeed, as was shrewdly observed in the house of representatives, gave up the matter in dispute at the very outset. By quiting the ground of right, derived from, and the appendage of, national sovereignty, to rely on a supposed general consent, which results from convenience and changes with circumstances, our Secretary of State unfortunately played his game into the hands of his adversary. We cannot admit, however, that a weak argument

shall destroy a good cause. The case has been stated by others, whose reasons we will neither repeat nor refer to; because the question is recent, and because the general opinion (not only of America but of Europe) is well established. The right of a neutral to proceed from his own ports to those of a belligerent, with articles his own property, not contraband of war, is admitted; and the pretended right to examine how he came by the goods, is considered as an odious usurpation. It is, we say, a principle, generally, assented to, as resulting from the nature of sovereignty, that no person shall inquire into the means by which, or the place from which, property has been brought within the territory of a neutral state, further than as it may serve to cast light on the question, whether it belong to a neutral or belligerent. This principle seems to be so intimately blended with the national sovereignty, that it cannot be surrendered. We have no view to the convenience or profit of merchants. On the proper occasion we shall pay those gentlemen the respect to which they are entitled; but we do not consider this as the proper occasion. We are now engaged in matter of a higher order than commercial interest; one which is not to be tested by considerations of profit and loss. We must, therefore, examine the article in its relations to a national right, which, in our opinion, it has surrendered.

It begins by permitting us to carry European goods to the colonies of enemies of Great-Britain,

from the ports of the United States. Thus one point is given up; the right of trading freely from one port of a belligerent to another; a right acknowledged and asserted by all good writers on public law. It is not our object to please a party, but to establish truth. We anxiously wish that our country may take a firm stand on principle: and that her honour, dearer to us than the blood which warms our heart, may not be compromised in a contest of doubtful complexion. Wherefore, that we may be well understood, and that we may not be misunderstood, we promise and acknowledge, that, while the powers of Europe maintain their colonial system, and relax from it, occasionally, under the pressure of necessity, or from the prospect of advantage, there is a presumption that trade carried on by neutrals, between a belligerent country and her colonies, is merely a cloak and cover injurious to the other belligerent. He therefore can, rightfully, exact strong evidence that the property is neutral. And since melancholy experience proves that, on such occasions, perjury appears, at the call of interest, to protect fraud, it ought not to be wondered at, that he should so far extend the force of presumption as to receive it in contradiction to testimony. When, under this aspect, the matter is discussed with the neutral government, both stand on fair ground. The neutral, whose right of sovereignty is not questioned, will, from a sense of justice, agree to regulations by which the property in goods shall be more clearly ascertained.

And since, after all possible checks, fraud will be committed when the opportunities are inviting, he may, from the same sense of justice, be induced to admit, that the circumstances attending such a trade are sufficiently strong to justify the induction of the belligerent. And it would not be at all improper for him to agree on severe penalties, to be exacted from those who persist in covering the goods of one enemy from the pursuit of another. We venture to believe, that this fair and candid course would subserve the interest of the neutral himself. If, however, from an interested connivance in the fraud, or from partiality to the other belligerent, he will not enter into fair stipulations, the rights of the adverse party not only remain, but are strengthened; and he may justly extend the exercise of them: always understood, that the neutral who thinks himself aggrieved may resort to arms. In this fair course there is no assumption of superiority on one side, no submission to insult on the other. The independence of the neutral is not questioned; his sovereignty is not violated. The fiscal result would, indeed, be the same, whether it be assumed as sufficient proof of French property, that goods on board an American ship were going from Bourdeaux to Martinique, or declared that the trade not being permitted in time of peace, the property, though American, shall be confiscated; but the consequence, as it affects our honour, would be widely different. Besides, the former principle

is of necessity bounded within narrow limits; but the maxim, that a neutral shall carry on, only, his usual and accustomed trade, may be extended so as to embrace whatever the belligerent may desire. Once agree to it as a principle, and attempts to limit the operation will be vain. Moreover, it must be always remembered, that a stipulation in one treaty is more fatal to the question of right, than the pillage of a dozen wars. The pillager may indeed cite, as a precedent, his former violence on every new occasion. The argument that one injury will justify another, has been frequently urged, and as frequently refuted; but when, by solemn compact, one party acknowledges as a right the injurious claim of another, he is bound by his own act, and must submit to the consequence.

The article before us permits the carriage of European goods, from our ports, to the colonies of enemies of Great-Britain, under three conditions. The first is, that vessel and cargo are bonâ fide American property. This condition is proper and consonant to public law. Had the subsequent restrictions been stated as conventional evidence of that fact, they would, in the present point of view, have been unexceptionable. But standing as they do, distinct additional conditions, they are the acknowledgment, on our part, that we have not the right to carry our own property from our own ports to the colonies of a belligerent; an acknowledgment which ought not to be made.

The second condition is, that the goods shall have been unladen in the United States. Here another unfounded claim of Britain is admitted; a claim which, with all the deference due by citizens of one country to the government of another, we presume to believe she was wrong to make, because she would hardly permit it to be exercised against her own merchants. We feel a strong persuasion, therefore, that if this point (which had been assumed by her courts) had been properly represented to her ministers, they would have abandoned it. But certainly, even if, from prudential motives, we should submit to such an exercise of power, we ought never to acknowledge that it is legitimate. The stipulation in this treaty is precisely what Britain must desire, and, every way, injurious to us. In relation to our claims for the past, her courts will say, you have deliberately assented to our principles. In future wars they will set it up anew, and insist, that as we submitted before from rational conviction, (and we shall hardly be disposed to stultify and brutify ourselves by alleging that we acted from folly and fear,) we ought again to submit. But, should it so happen that we, being at war, while Britain is at peace, should claim the privilege she takes, her government would resist; and we should find ourselves in the wrong. They would frankly admit, that, to promote the interests of the war in which they were engaged, they had found it necessary to

make an extraordinary stretch of power. That we had, indeed, complained, and our government had, for the form sake, remonstrated; but, wishing well to their cause, and desirous of promoting their success, as far as it could without breaking with friends at home, or making enemies abroad, had thought it, on the whole, most advisable to submit. They would go on, in support of this assertion, to observe, that when matters came to be adjusted, by treaty, an article was inserted confirmatory of the practice. But so far were the parties from admitting any general principle, or supposing that we should ever think of retaliating, that the article related solely to us, provided for a special case of the moment, and contained no reciprocal stipulation. We should then be politely told, that, to make the cases analogous, we must show that preponderance of force to which we had thought it reasonable and just to submit. This would be no easy matter. But, a matter much more difficult would be to bend the high spirit of England, and persuade her to brook national degradation. While on this part of the subject, it may not be improper to add, that the language which, under the circumstances supposed, it might be competent to Britain to hold hereafter, it is competent to France to hold now. Our assent to this unequal stipulation may be considered as evidence of partiality. Our government may, in proof of its love to France, quote its friendly professions;

but, whether Napoleon and Benevento repose in the President's professions that confidence which many among us express in his talents, may admit of some doubt.

The last condition under which we are permitted to exercise our right, is, that we shall lay an export duty of one per cent. on European goods sent from the United States to colonies of the enemies of Great-Britain. Hitherto the sacrifices made affect only commercial interest and national honour; objects, for which much indifference has formerly been expressed by some great men of the day. They freely declared, that for neither they would risque the chance, nor bear the expense of war. They were, nevertheless, loud in expressions of love for the constitution. That constitution, once the theme of their execration, is now the idol of their affection. And with reason; for they have found out the secret of turning it to good account. But the constitution says, in express terms, "no "tax or duty shall be laid on articles exported "from any State." And the treaty exacts, as a condition on the carriage of goods from the United States to the islands, that in addition to the duty reserved on exportation from the drawback, the further sum of one per cent. ad valorem shall be paid. We are not among those who consider the restriction in our constitution as wise. We know it to be among those which, unreasonably, insisted on by some members of the national

convention, was submitted to by others, from "that "deference and concession which the peculiarity "of our political situation rendered indispensable." The clause, however, is there. Legislative ingenuity will, no doubt, be exerted, if needful, in reconciling it with the article of the treaty. Merchants will perhaps be told there is no compulsion. They may pay or let it alone. If they pay, the custom-house will give a certificate. If not, they may depart and take their chance. Perhaps, in greater tenderness for the constitution, it may be thought advisable that the legislature be silent, leaving matters to be settled between the executive and the merchant. This would be an excellent contrivance; for it would enable the President, and two thirds of the Senate, who (as every body knows) have unlimited confidence in him, and were chosen for that very reason, to tax the good people of these United States; provided they can get the assistance of a stout maritime power. It might be asserted, on the part of Great-Britain, that the soldiers of Napoleon, who undergo hardships scarcely credible, and have entreated their enemies to terminate at once their misery and existence, would certainly revolt, if physical as well as moral means were not employed to secure their obedience—That the narcotic effects of tobacco, which they use in profusion, have astonishing influence in calming nervous irritation; whence it is evident that Napoleon's troops could not bear up

under their calamities, without a pipe of tobacco. This argument has the merit of resembling that by which it has been demonstrated, that France carries on the present war with sugar and coffee received from this country. It would, therefore, equally justify the prohibiting our merchants to furnish the enemies of Great-Britain with tobacco, under the usual penalty of confiscation. After a few months more of able negotiation, a new clause might be tacked to the treaty, allowing tobacco to go free, provided an export duty were paid of ten per cent. This would enable the collectors, always, however, with the merchant's consent, to levy the ten per cent. Experience has proved, that, if no direct application be made by the tax-gatherer, this enlightened nation cares not what is collected, nor how it is applied. Some of them, indeed, suspect that possibly they may pay, in the price of necessaries they consume, a small part of the duty on imports. But this new contribution would come so completely out of the merchants, that it would be quite delightful. It might, moreover, be applied at the discretion of the President, and save the necessity of asking Congress for appropriations to objects undefined. This would be another prodigious advantage. For although such appropriations, once supposed to be unconstitutional and dangerous, are now found to be proper and very convenient; yet some friends of government feel a little squeamish, look a little

awkward, and have somewhat of a qualm in voting for them. Wherefore, as it is troublesome to deal with men of timorous conscience, it would be no small improvement on our system, so to arrange matters as that business might go on smoothly without their assistance. It would, moreover, be of use to the poor men themselves, who find it rather difficult to satisfy certain troublesome creatures, called constituents, that the new congressional game of blind-man's-buff is altogether fair. Hitherto, indeed, they have got through tolerably well by the aid of that excellent word confidence; but since nothing human is immortal, so it begins to be suspected that confidence, even in the President, may at length expire. Some new expedient, therefore, ought to be adopted. And what so proper as to raise taxes by treaty?

The article having provided for our trade with the belligerent colonies, and prudently left the trade from them unnoticed, so that, from any thing which appears, Britain may seize colonial produce coming, from her enemy's ports, to the United States, goes on to regulate the export of such produce to Europe. It is permitted under conditions similar to those just noticed. The goods must be unladen, and they must pay an export duty of two per cent. ad valorem. Let it not, we pray, escape the reader's notice, that the conditions imposed by no means affect what is called the neutral carrying trade; that is to say, the unfair practice of covering, as

neutral, the goods of a belligerent. They neither arise out of the right which one enemy has to attack and destroy the commerce of another, nor do they tend to check the abuses about which we have heard such loud complaint. If, indeed, enemies' goods were subjected to the charges of landing and reloading, together with the duty on export, while bonâ fide neutral goods were exempted, it would doubtless discourage the illicit trade. But this was not the object. The whole scope and tenor of the article is to lay our trade under impositions and disadvantages, so as to favour and encourage the trade which the English (by connivance of their government) carry on with their enemies. We have before us a copy of royal instructions to the Lieutenant-Governor of Jamaica, dated at St. James's, the fifth day of July, 1804, in the forty-fourth year of his Majesty's reign. They run thus: "Whereas we have thought it expedient that permission should be given to vessels belonging to "the subjects of his Catholic Majesty, having not "more than one deck, to trade between the free ports "established in the island of Jamaica and the Spa- "nish colonies in America, according to the regula- "tions of the several acts for establishing free ports "in our West-India islands, notwithstanding any "hostilities that may occur; and whereas we have "thought it expedient, that, notwithstanding such "hostilities, permission should likewise be given to "British vessels, navigated according to the laws

" now in force, to trade between the said free ports " in the island of Jamaica and the Spanish colonies " in America, provided such British and Spanish " vessels shall have a license from the Lieutenant- " Governor or Commander in Chief of the island of " Jamaica, and provided such British and Spanish " vessels shall import, into the free ports in the island " of Jamaica, such goods only as are hereafter enu- " merated, viz. wool, cotton wool, indigo, cochi- " neal, drugs of all sorts, cocoa, tobacco, logwood, " fustick and all sorts of wood for dyer's use, hides, " skins and tallow, beaver and all sorts of furs, " tortoise shells, hard wood or mill timber, maho- " gany and all other woods for cabinet ware, horses, " asses, mules and cattle being the growth and pro- " duction of any of the colonies or plantations in " America belonging to the crown of Spain, and all " coin or bullion, diamonds or precious stones, " coming from thence; and provided such British " and Spanish vessels shall export from such free " ports only the said goods and commodities, " and also rum, the produce of any British island, " and also all goods, wares, merchandizes and ma- " nufactures, which shall have been legally import- " ed, except masts, yards and bowsprits, pitch, tar, " turpentine, and all other naval stores and to- " bacco.

" We do hereby authorize you, our Lieutenant- " Governor, or Commander in Chief for the time " being, of the island of Jamaica, to grant licences

" accordingly. And do further require and en-
" join you to give all necessary encouragement and
" protection to such Spanish vessels, and likewise
" to all British vessels trading between the free
" ports in the said island of Jamaica and the Spa-
" nish colonies in America, under the regulations
" herein before prescribed."

A perusal of these instructions will show the true value of what has been said in courts, and printed in pamphlets, about reducing the enemies of Britain by destroying the resources of their commerce, and about the injury done to her military and naval operations by the unjust and unlawful interference of those wicked neutrals. Go to the bottom of the business, and we find a mercantile struggle for money, in which the government assists by its power, its influence, and its negotiations. Mere counting-house politics. Not the most remote idea of injuring France or Spain, by inhibiting an intercourse with their colonies, but a scheme to engross that trade to themselves. Accordingly, when they negotiate with us, the single object is to burthen and trammel our trade with such charges and regulations as may give their merchants a preference. Our negotiators have kindly gone along with theirs, and, in the excess of their complaisance, have ceded, not only the interests of trade, but the attributes of independence.

That nothing might be wanting to complete the goodly work, this eleventh article closes with a de-

claration, that, after the expiration of the treaty, (viz. in ten years) all antecedent rights on these subjects are to revive. And thus we acknowledge as rights, provided the exercise be suspended for ten years, claims which should never be admitted under any pressure of necessity. We may, nay, we must, submit to superior power; unless, as in our war for independence, it will please the Almighty to smile on and reward our resistance of oppression by his holy favour. But there can be no necessity, use or advantage, in acknowledging oppression to be justice. If we dare not resist, let us quietly submit. But let us not kiss the rod, or, like prisoners of the inquisition, applaud its clemency while we writhe in torture.

The twelfth article, considering the love of peace which our rulers profess, and the defenceless condition to which they have reduced us, passes all comprehension. It extends to Great Britain, and to all other nations who would adopt the same regulation, the protection of our neutrality from a marine league to five miles from our shores. This being agreed on, if a Spanish cruizer should, at four miles distance, take a British ship, what are we to do? According to the treaty she must be restored. According to general practice she is a good prize. And if we judge from experience, captors are more inclined to keep bad prizes, than to surrender good ones. They would undoubtedly and justly refuse to give up the British ship. The British minister

would as undoubtedly and as justly insist on the performance of our stipulation. What are we to do? Shall we go to war for the recovery of a British ship lawfully taken by a Spaniard, while we permit the same Spaniard, and every one else, unlawfully to take our own ships? Moreover, if the President should determine to take and restore the prize, what are his means? His frigates are fast in the mud. He has no public force at command, and it has been the undeviating policy of his administration not to have any, lest he should be held accountable for the use of it; or rather, for suffering it to look idly on, while our fellow-citizens are insulted, plundered, killed. What are we to do? The British insist. The Spanish refuse. Take what side we will, we must be in the wrong. The President might indeed make excuses and apologies. He is said to be able in that line. But the English are not in the habit of receiving apologies instead of cash. We should be charged with perfidy. We should be threatened with reprisals. What are we to do? Nothing remains but the old expedient of paying for peace. Congress must then appropriate to that object some of the money collected from trade; for they have no other. And thus our merchants, after being pillaged by both parties, must pay them for plundering each other.

The clause in the twenty-third article which declares, "that all treaties hereafter made by either

" with any nation shall, *ipso facto,* be extended in " all their favourable operations to the other," is very broad. By the second article of our treaty with France, " the King and the United States mutu- " ally engage not to grant any particular favour to " other nations, in respect of commerce and navi- " gation, which shall not immediately become com- " mon to the other party, who shall enjoy the same, " freely, if the concession was freely made, or on al- " lowing the same compensation, if the concession " was conditional." Our treaty with Sweden contains the same clause. The unlimited terms of this new stipulation, especially when compared with those more guarded of preceding compacts, will support a claim of Great Britain to possess, without compensation, privileges we may grant to others for valuable consideration. To say the covenant is reciprocal is a fallacy; for it is one thing to be reciprocal in form and words, but another to be reciprocal in fact and effect. It we mistake not, it is substantially the same as if we had stipulated, solely and gratuitously, that Britain shall enjoy every privilege we may allow to any other nation. Indeed, our agreement with France and Sweden, though more fair, was not quite safe. Let it be remembered that old nations have long since formed their systems of finance, commerce, and navigation; which, by the aid of experience, and in the lapse of time, have been made to accord with their extent, population, soil, climate, productions, and

manufactures. There is, then, little probability that any change will be made, from which we can derive advantage. But the case with us is widely different. That our power and wealth must increase, if our union be preserved, and we are governed with tolerable discretion, can admit of no doubt. We shall probably both acquire and grant privileges in our diplomatic transactions. We ought not, therefore, to tie up our hands, by prospective conditions with any nation, and least of all with Great Britain; because she has long since brought her commercial system to perfection. The covenant on her part must be sterile. We can derive nothing from it; but are bound by it to treat with the rest of the world, under her pleasure, and for her benefit. We preclude ourselves from granting an exclusive privilege, whatever advantage might be gained, or evil avoided. If the proposition be made, we must answer, it is not in our power; we are already bound to England, and must ask her permission.

The twenty-fourth article presents to us a fair flower of philosophy. We agree to join in abolishing the slave trade. As a comment on this article, we take leave to introduce what we consider as a contemporaneous exposition. In the British House of Commons, on the twenty-third day of February, not two months after the treaty was signed, Lord Howick (the British minister for foreign affairs), after stating that the slave trade was both unjust and

impolitic, founded in robbery, kidnapping, and murder, and afforded incentives to the worst passions and crimes, and, therefore, ought to be abolished, added, that there were some general points that had been adduced in its support to which he was desirous of adverting. Amongst these was the argument which had been urged, with earnestness, that the principle of the abolition of the trade would lead to emancipation. To this objection the minister frankly replied, that at present the negroes were not in a condition to be immediately emancipated; but he had no doubt, and would not conceal his opinion, that the effect of abolishing the trade would be to abolish slavery itself. We are not the advocates of slavery. We do not consider ourselves authorized to hold our fellow-creatures in bondage. But we do not arrogate the right of judging others; nor presume to make our conscience a rule for theirs. We are bound by compact to our brethren in the Southern States, and cannot in good faith attempt to wrest from them what they consider as property, and without which their other property would be good for nothing. Nay, if we had lawful authority to emancipate the slaves south of Pennsylvania, we should, with the example of St. Domingo before our eyes, proceed with caution, and tremble with the apprehension, that, in remedying an evil, we should let loose a legion of crimes. Europeans can speculate at their ease on events so distant, as to appear more like history than action.

It is otherwise with men on the spot, who see the rage of incarnate devils, and hear the shrieks of their victims. When statesmen of wisdom and experience speak the language of enthusiasm; when they who can resort to arms for a few seal-skins on the other side the globe, are thrown into spasms of sensibility for the sufferings of negroes, who are dancing all the while to the sound of their banjoes, there is reason to suspect something beside sentiment. If we take the trouble to examine facts, we shall find the British colonies full manned with Africans, while those of their rivals want hands. St. Domingo must, when subdued, be peopled anew. Moreover, if all these colonies were sunk in the sea, it would but enhance the value, and increase the revenue, of the British dominions in Asia. To abolish the slave trade, therefore, is good sound British policy. To bottom the measure in argument, on these efficient principles of interest, would not sound so well as to boast of philanthropy, and express the detestation of robbery and murder. But what motive have we to make the above-mentioned compact, and what is to be its effect? Was each party, in the apprehension that his conscience would not keep him to his duty, desirous of bolstering up the moral sense with diplomatic engagements? Or was it intended to preclude debate in Parliament and in Congress? If domestic operation alone was intended, diplomatic engagements were neither necessary nor proper. The

respective legislatures should have been left at liberty. If it was intended to form an alliance offensive and defensive against the slave trade, our ministers should have inquired a little into our means and situation. Are we, we, the pacific, to commence a career of knight-errantry for black dulcineas? Are we, we, who keep thousands in bondage, to declare that no one shall follow our example? Truly it would seem as if we were doomed to fight for every thing except our own interest, our own rights, and our own honour.

We pass over the rest of what this treaty contains, to consider what it does not contain; previous to which, however, we must observe that, notwithstanding our willingness to excuse the administration, by imputing its defects to the gentlemen negotiators, we are deterred by a belief that such imputation would be unjust. If, indeed, these gentlemen had been recalled, we should be convinced the fault was theirs. But they are continued in office. The administration, therefore, considers them as still deserving of confidence. They have then conformed to their instructions, and the treaty is such as they were directed to make. Hence we are driven, in spite of ourselves, to conclude that what has been said is true—That the treaty was sent back, not from any disapprobation of its contents, but because it does not contain a relinquishment, by the King, of his claim to take British seamen from the merchant vessels of America. If

it be true that our government have taken their stand on this ground, and for the reasons just assigned, this seems to be unquestionable, we are brought to a point which demands our serious consideration. If reason be against the British claim, let it be resisted; but if otherwise, God forbid we should engage in war to establish injustice.

The question is two-fold; whether England can rightfully compel her native subjects to man her fleets, and, if so, whether she can lawfully exercise that right over such of them as are in the ships of another country. Let it be premised, that as they pretend no right to take a native American, that case is not within the scope of our inquiry. Let it also be premised, that when nations are agreed respecting matters of right, the way is open to expedients for mutual convenience. Matters of interest frequently interfere, and require appropriate arrangements by mutual concession, for mutual advantage. But matters of right are of different nature and sterner stuff. They cannot interfere, unless where nations are at war; because it cannot be right for one to prevent what another has a right to perform: Wherefore the right being established, submission is implied. Were it otherwise, war must be the natural condition of man; because the right to do on one side, and the right to oppose on the other, constitute precisely the state of war.

It is a first principle of every government, that it can rightfully command the military service of its

citizens and subjects. If this be not admitted in America, we are in a wretched condition. We have no fleet; we have not, and, it is to be hoped, we never shall have, a standing army. If, therefore, the militia cannot be compelled to defend their country, what is to become of us?

But it is said that, admitting the general principle, an exception is to be made in favour of those who leave one State and swear allegiance to another. The British government, however, insists, that no man can divest himself of the duties which he owes to his country. Other nations maintain the same principle; which, both by reason and by general consent, forms a maxim of public law. The usual stipulation in treaties, that the subjects or citizens of one of the contracting parties shall not engage in the military service of an enemy of the other, rests on this foundation, and would, without it, be an idle phrase. It is true that a different doctrine is maintained by some who pretend to instruct us in matters which concern our intellectual nature, our moral duties and political rights; matters which, having escaped the statesmen and sages of antiquity, have (as they say) been lately discovered. We, however, are not disposed to adopt novel doctrines, but presume that those who have gone before us, came into this world with as much sagacity as those lately born. And we know that many of them, with equal opportunities for reflection, had greater advantages of experience in national affairs.

Putting aside, however, the objection of novelty, others present themselves to the most cursory observer, which it would be tedious to enumerate. Suppose that Arnold, after swearing allegiance to the King of Great-Britain, had returned to this country, and claimed the rights of a British subject. Surely there would have been but one sentiment, but one voice. Light minds may amuse themselves in blowing up the bubbles of metaphysical wit, but sober men will not stifle those chaste and righteous sentiments which bind them to their country. They will not permit rash innovators, "clothed in "a little brief authority," to abolish maxims, venerable, alike, for their antiquity and wisdom. In a word, they will not relinquish the undoubted right of America to the military service of her citizens. If, however, it should be deemed proper that each be at liberty to take advantage of the social compact while it suits his convenience, and to release himself from its obligations when called on to perform them, let it be so enacted. It will then be law for us; but it will not thereby become law for other nations.

It may be said that a man has a natural right to change his country and his allegiance. But it will be difficult to adduce proof that will not equally prove each individual to be above the law; or what is tantamount, that each can, at his pleasure, release himself from its authority: whence it must follow, that the law, binding only those who choose

to be bound, is a nullity; a thing which not only does not exist, but which cannot exist. And after all, even if we should adopt that extravagant theory, the difficulty must remain: other nations will not dispute with us the doctrinal points we assume to govern or to amuse ourselves; but they will not permit us, under cover of our doctrines, to invade their rights. It behoves us, therefore, before we carry such notions into practice, to inquire whether we are prepared to force them upon other nations; for we must either embark in that extreme project, or acknowledge the rights which they exercise over their own subjects. So little, indeed, are the advocates for the supposed right of expatriation in harmony with themselves, that they have, on a different but notable occasion, strongly insisted that no one nation has a right to interfere in the domestic arrangements of another. We do not admit this axiom in its fullest extent, because we conceive that when it is a domestic arrangement of one nation to subjugate others, all have a right to interfere, on the common principle of self-preservation. But no man, we believe, ever claimed for England a right to determine what laws the French Republic should make or repeal respecting French citizens. Neither has it, as yet, been directly asserted that such power can be justly exercised over us by the French Republic. We conclude, therefore, it will not be pretended that we have such right over Britain. And if we have

not, it must be admitted that an Englishman, coming to America, comes subject to the obligations imposed by the laws of his native country; which obligations are known, and of course excepted in the compact by which he becomes an American citizen. If this be admitted, and it can hardly be denied, the difficulty about certain papers given to seamen, and called protections, must vanish. The protection cannot avail against the prior right of his native country. Indeed, the facility with which it is obtained, in many of our sea-ports, is a sufficient reason why it should not be respected. It is frequently granted to men just arrived from the British dominions, whose language betrays the fraud; and who, when afterwards questioned by a British officer about the alleged place of their nativity, cannot tell whether it is to be found in New-England or Virginia. Surely it cannot be expected that a powerful nation, whose existence is staked on the chance of war, will be the dupe of such clumsy contrivance.

It has been already observed that a British subject cannot, according to the laws of that country, disengage himself from the obligation to render military service; and that we cannot release him, because we cannot make or repeal the laws of England. To this it will be replied, that, having uncontrolable authority to legislate for ourselves, our act of naturalization, by conferring the right of citizenship, cancels anterior incompatible duties. And

this being a case in which supreme authority has made contrariant provisions, the last must prevail. Certainly it must, if they who made it had a right to do what they are supposed to have done. Enough has already been said on the right. We shall only add here, that no question can arise while the party continues in America, because the British government cannot seize him within our territorial limits. Neither can a question arise if he should return home, because he would then be where we have no jurisdiction. But it may be asked, what will be the condition of an Englishman, naturalized here, who may have been brought, by force, within the power of his native country? Unquestionably it must be that which the law of England provides; for we cannot interfere, unless he was seized in our dominion.

Here, then, arises the second question, whether, admitting that England possesses the right she claims over her native subjects, it can properly be exercised in American ships. Those who hold the negative contend, that, taking a man from under the protection of our flag is a violation of our territory. It becomes proper, therefore, to inquire into the nature and extent of this protection. And here the first leading circumstance is the common right to navigate the ocean, whereby all are there at home. It is by virtue of this right, that powers at war take property of their enemies in a neutral ship. The ocean belonging as much to the one as

to the other, if the neutral says the capture was made in my dominion, the belligerent replies, it was made in mine: and the arguments to support one assertion establish both or neither. Until lately, it was not attempted to take enemy's goods in the territory of a neutral power; and it is worthy of remark, that this has been done by the nation which, for half a century, has urged the establishment of a maxim, that neutral ships shall protect enemy's goods. The conduct of Napoleon on this occasion is rather an example to be avoided, than a precedent to be pursued, and cannot strengthen the right of search. But it does not weaken that right. Let it, however, be remembered, that although it is usual to stop and search merchant ships, a similar practice towards public vessels of war is inadmissible. These are national fortresses, and bear (in the proper sense) the national flag. To such vessels alone, the idea of protection, by the flag, is applicable. The distinction between them and merchant ships is material to the present subject. Nations justly claim respect to their vessels of war, and, from that claim, corresponding duties arise. When any thing wrong is done by them, the national honour is bound to make satisfaction: but the case with merchant vessels is widely different; and the condition of sovereigns would be wretched and base if every trick and fraud of a smuggler could implicate their honour. Yet, if we insist on the same respect to a private ship of trade as to a public ship of war

we must hold ourselves equally accountable for the conduct of both. Hence the universal consent, that merchant vessels may be examined, detained and confiscated, according to the nature of the case; and where they are injured, to compensate by money. For money being the object of trade, the national character is, in no wise, affected by what is done or suffered in the pursuit. Seeing, therefore, that a power at war has a right to take the ship and bring it into port, he must have a right to take his own subject out of the ship. It would be idle to suppose that a flag which cannot protect the ship itself, could protect the persons on board; or that it would be a violation of sovereignty to take part, when it is no violation to take the whole. But even if such distinction could be established, the matter would not be mended. If, for instance, Great Britain should admit that one of our merchant vessels enjoys, while in the open sea, such an emanation of sovereignty, that, to take away one of the crew, would be tantamount to an invasion of our country; reserving, nevertheless, the established right for which the ship may, for adjudication of doubtful points, be sent into a British port: by exercising that right the ship could be brought within those limits where the exclusive territorial authority attaches. The suspected man would then, after examination, be regularly put on board a man of war, and nothing would, of course, be allowed for detaining the ship, and taking her out

of her course. Hence it is evident, that, by abandoning the known principles and usage of nations, we should involve ourselves in a labyrinth of difficulties, for no good purpose, and to considerable loss.

But, it is said, there is manifest absurdity in pretending that, because goods may be taken, and, after due trial, be confiscated, men may be taken and condemned without trial. It is monstrous to submit the dearest thing we have, our liberty, to the will of military men, who have an interest in taking it away. This argument is ingenious, but, in our apprehension, not solid. If British subjects only are impressed, it is none of our concern. Englishmen may do with each other what they please. If an American be impressed, it is, probably, from mistake, and he suffers a misfortune incident to his profession; being one of those evils, by reason whereof he is intitled to, and receives extraordinary wages. We will not, however, elude the argument, but meet its full force. We say, then, that if the violence be intentional, and done by order of the sovereign, it is a legitimate cause of war, and ought so to be considered and treated. But if done by the officer, without the order of his government, it is one among the many wrongs, for redress of which, resort must be had to the tribunals. The officer impressing does it at his peril, and the impressed seamen would, we believe, obtain ample compensation from a Westminster jury. We ven-

ture to add our opinion, that if a few clear cases of this sort had been prosecuted at the public expense, it would have done more to correct the practice, so far as real American citizens are concerned, than all the clamour of the last ten years. At any rate, nothing can fairly be imputed to the sovereign, until his courts refuse to do justice. If an officer in our navy should assault and imprison a British subject, and application were made to our Secretary of State, by the British Minister, would he not be referred for redress to our courts of justice? Surely the President would not, on a complaint, though supported by exparte affidavits, break an American officer without trial.

To this it may be replied, and with much weight of argument, that although the officer is personally accountable to the injured individual, the government he serves is also accountable for repeated injuries, though done without its order; because, in arming officers with power, and cloathing them with authority, it is a duty to provide against and prevent abuse. This we admit, and deduce from it the consequence that Britain, in exacting the military service of her subjects, ought to respect the rights of our citizens. Here, however, we must, in fairness, consider those circumstances which are inseparably connected with the question. Speaking as we do, the same language; our manners and customs also being the same; there is real difficulty in distinguishing a British from an American sea-

man, even when the officer acts with pure and upright intentions. Moreover, the very mode adopted to mark out our citizens has increased, instead of diminishing the difficulty. Seamen carelessly lose, or wantonly destroy, or fraudently dispose of their protections; so that while many, whose countenance and pronunciation declare them to be (what they really are) native Americans, have no protections; their comrades, from Scotland and Ireland, whose looks and language clearly designate their country, present their protections in proper form. On application, therefore, to the British government, and the consequent inquiries, facts frequently appear of such nature as might puzzle a discerning judge, much more a plain sea officer.

Thus, by the peculiarity of its attending circumstances, the question is brought to a kind of dilemma; and, principles being acknowledged, it is contended, on our part, that Britain ought to forego a right which, from her own shewing, cannot be exercised without invading the rights of America—That she, being the actor, is bound to adopt regulations by which our citizens may be secured from violence. The case, considered in this aspect, is certainly strong. But to the proposition that she shall forego her right, she replies, that without supposing, much less asserting, that the United States contemplate the seduction of her seamen into their service, it is impossible not to see that such would be the result—That without regarding the loss of

one country and gain of another from that event, a consequence far more important commands her attention—That she is at war with the most powerful monarch on earth, who threatens invasion and conquest—That she has but slender means of defence at land, and may (should the invasion take effect) be blotted from the list of nations—That, even if not subdued, she would be exposed to imminent peril and most grievous calamity—That her only defence, her fleet, can no longer be relied on, if her present resources, for manning it, be destroyed. Wherefore, the exercise of her right cannot be relinquished, without hazarding her existence—That without insisting, as she might, on the interest we ourselves have in her success, and on the certainty that, if she is crushed by the weight of Napoleon's arms, we also must become French provinces, she can safely appeal to our reason and justice, to decide whether it is fair and right to place the convenience of one party on a line of equality with the existence of another. She declares her willingness to enter into any equitable arrangements to secure the rights of our citizens. But, if no expedient can be devised which will produce the desired effect, she must exercise the right of self-preservation; though from circumstances, not of her making nor under her controul, we are subjected, by it, to inconvenience and even to injury. In fine, that if we insist on her relinquishing her only means of defence, she must, though reluctantly, join in an appeal to the God of battles.

We have already observed, that when parties are agreed as to matter of right, the way is open to arrangements for mutual convenience. We now add our sincere belief, that men of integrity and good sense, who would candidly seek, would certainly find, expedients to reconcile the exercise of her rights with the security of our citizens. We see, however, with much concern, that instead of endeavouring to remove, pains are taken to increase and multiply obstructions in the way of a fair and honest arrangement; and that, instead of simplifying the question, it is endeavoured, by the use of general terms and severe invectives, to persuade the people of America that Great Britain ought to relinquish a right, on the exercise of which, materially depends her national existence.

Hitherto we have discussed the question on principles of public law, and have not permitted any breath of interest to blow either way. Let it not, however, be forgotten, that our ships of war go freely into British ports, are hospitably received, and are suffered to depart without question, though manned in a great proportion by British subjects. Surely they have as good right to demand their seamen as we have to demand ours.

But it may be asked, if this be a true state of the question on the ground of right; and if it be doubtful on the ground of policy, whether we should strenuously insist on our right; whence came the clamour, and whence the cry of oppression? We

do not conceive ourselves called on to account for so vain a thing as clamour. But, since the occasion is of portentous import, we will state the facts. We gain much, during the war, on trade which usually flows in other channels. Hence an extra demand for seamen, which America cannot supply; so that this lucrative commerce will be less extensive than our merchants desire, if they cannot procure seamen from other countries. Other neutrals are actuated by similar motives. We, however, speaking the same language, can have no want of British seamen, if, besides high wages and security from capture, we can protect them against impressment by British ships of war. Our merchants, therefore, have easily persuaded themselves to believe that a British seaman, with one of the protections above mentioned in his pocket, ought not to be taken out of their ships. In this faith they clamoured. Some of them, whose moral and political notions are peculiarly agreeable to those who manage our affairs in the way they like best, have contrived to enlist the government in this scheme of traffic. But if, by contending on such bad ground, we are brought into war, our merchants will be the first to suffer. Such of them as have property must tremble at the consequence. The cry, however, will be kept up by those whose deranged affairs find an interest in confusion; and by the fiery spirits, who readily sacrifice their country to their ambition. But what will be our condition, if we walk on in this crooked path? We have advanced a claim, which, however the agents of

those who wish to embroil us may pretend to approve, will be scouted by all the world: for the position we take is not only untenable in itself, but opposed to the interest of other nations. Nevertheless, to establish this claim, though without any chance of success, we shall perhaps be committed to a dangerous course of events. If Britain, struggling for life, be driven to desperation, she must strike. At the first blow our commerce is gone. She would be enriched with millions of our spoil, and we should, in a few months, acknowledge the rights which our rulers seem disposed to resist by the last extremities: for it is absurd to suppose the American people will bear the privations and hardships of war, to support a scheme of injustice.

One good consequence has, however, resulted from the notion assumed by our rulers. There is too much reason to believe, that, if the usual course had been pursued with regard to the treaty, a constitutional majority of the Senate (from the confidence which they were chosen to exhibit in the President) would have given their ready approbation. That onerous contract would then have been fastened about our necks for ten years, and some of its evil consequences for ever. That we are not at this moment the commercial vassals of England, is, therefore, in no small degree, to be attributed to the extravagant notion, that America is bound to protect every vagabond against the lawful authority of his own country. If, in the exercise of the British claim, or in any thing else, our sovereignty and independence are in

vaded, let no thought of consequences prevent us from asserting our honour. To preserve that, is our first duty, our highest concern. With it, we shall enjoy liberty, peace, and commerce. Without it, we shall enjoy nothing long; for a nation which loses her honour, cannot preserve her independence. But we forbear to urge what we conceive to be unnecessary, when speaking to a high-minded people.

We intreat our fellow citizens to consider seriously the situation in which they stand—to suspend the rage of party strife—to examine facts—to reason for themselves. We put in no claim of merit. We solicit not their favour, much less their suffrage. Let them honour those whom it pleaseth them to honour. But let them not forego the use of their understanding. They may perhaps be told that we are enemies to the people. Be it so. Wise men consider those as their friends who give them useful information. But, admitting us to be enemies, reason and truth, even in the mouth of an enemy, are still reason and truth. The people may believe of us what they please, and call us by whatever odious name their favourites may select or invent. All we ask of them is to show their friendship to themselves, by attending to what concerns themselves; instead of sitting still, their eyes closed, their ears shut, while they are bought and old like miserable slaves.

THE END.

APPENDIX

APPENDIX, &c.

TREATY *of* AMITY, COMMERCE, *and* NAVIGATION, *between His Britannic Majesty and the United States of America. Signed at London, the 19th of November,* 1794.

HIS MAJESTY'S RATIFICATION.

GEORGE R.

GEORGE the Third, by the grace of God, king of Great Britain, France, and Ireland, Defender of the Faith, Duke of Brunswick and Lunenburgh, Arch-treasurer and Prince Elector of the holy Roman empire, &c. To all and singular to whom these presents shall come, greeting: whereas our right trusty and well-beloved counsellor, William Windham, Baron Grenville of Wotton, our principal secretary of state for foreign affairs, &c. &c. did, on our part, together with the plenipotentiary of our good friends the United States of America, conclude and sign at London, on the nineteenth day of November, one thousand seven hundred and ninety-four, a treaty of amity, commerce, and navigation, between us and our said good friends: and whereas a certain additional article has, on the part of the said United States, been proposed to be annexed to the said treaty as a part thereof; to which addition

we are willing to consent; the said treaty and additional article being in the words following:

His Britannick Majesty and the United States of America, being desirous, by a treaty of amity, commerce, and navigation, to terminate their differences in such a manner as, without reference to the merits of their respective complaints and pretensions, may be the best calculated to produce mutual satisfaction and good understanding; and also to regulate the commerce and navigation between their respective countries, territories, and people, in such a manner as to render the same reciprocally beneficial and satisfactory; they have, respectively, named their plenipotentiaries, and given them full powers to treat of and conclude the said treaty; that is to say, his Britannick Majesty has named, for his plenipotentiary, the Right Honourable William Windham, Baron Grenville of Wotton, one of his Majesty's privy council, and his Majesty's principal secretary of state for foreign affairs; and the president of the said United States, by and with the advice and consent of the senate thereof, hath appointed for their plenipotentionary the Honourable John Jay, chief justice of the United States, and their envoy extraordinary to his Majesty, who have agreed on and concluded the following articles:

Article I.—There shall be a firm, inviolable, and universal peace, and a true and sincere friendship between his Britannick Majesty, his heirs and

successors, and the United States of America; and between their respective countries, territories, cities, towns, and people, of every degree, without exception of persons or places.

ARTICLE II.—His Majesty will withdraw all his troops and garrisons from all posts and places within the boundary lines assigned by the treaty of peace to the United States. This evacuation shall take place on or before the first day of June, 1796, and all the proper measures shall in the interval be taken by concert between the government of the United States and his Majesty's governor-general in America, for settling the previous arrangements which may be necessary respecting the delivery of the said posts: the United States, in the mean time, at their discretion, extending their settlements to any part within the said boundary line, except within the precincts or jurisdiction of any of the said posts. All settlers and traders within the precincts or jurisdiction of the said posts shall continue to enjoy, unmolested, all their property of every kind, and shall be protected therein: they shall be at full liberty to remain there, or to remain with all or any part of their effects; and it shall also be free to them to sell their lands, houses, or effects, or to retain the property thereof, at their discretion. Such of them as shall continue to reside within the said boundary lines shall not be compelled to become citizens of the United States, or to take any oath of

allegiance to the government thereof, but they shall be at full liberty so to do, if they think proper; and they shall make and declare their election within one year after the evacuation aforesaid. And all persons who shall continue there after the expiration of the said year, without having declared their intention of remaining subjects of his Britannick Majesty, shall be considered as having elected to become citizens of the United States.

ARTICLE III.—It is agreed, that it shall at all times be free to his Majesty's subjects, and to the citizens of the United States, and also to the Indians dwelling on either side of the said boundary line, freely to pass and repass, by land or inland navigation, into the respective territories and countries of the two parties on the continent of America, (the country within the limits of the Hudson's Bay Company only excepted) and to navigate all the lakes, rivers, and waters, thereof, and freely to carry on trade and commerce with each other. But it is understood, that this article does not extend to the admission of vessels of the United States into the sea-ports, harbours, bays, or creeks, of his Majesty's said territories; nor into such parts of the rivers in his Majesty's said territories as are between the mouth thereof and the highest port of entry from the sea, except in small vessels trading *boná fide* between Montreal and Quebec, under such regulations as shall be established to prevent the possi-

bility of any frauds in this respect; nor to the admission of British vessels from the sea into the rivers of the United States, beyond the highest ports of entry for vessels from the sea. The river Mississippi shall, however, according to the treaty of peace, be entirely open to both parties; and it is further agreed, that all the ports and places on its eastern side, to which soever of the parties belonging, may freely be resorted to, and used by both parties, in as ample a manner as any of the Atlantic ports or places of the United States, or any of the ports or places of his Majesty in Great Britain.

All goods and merchandize, whose importation into his Majesty's said territories in America shall not be entirely prohibited, may freely, for the purposes of commerce, be carried into the same, in the manner aforesaid, by the citizens of the United States; and such goods and merchandize shall be subject to no higher or other duties than would be payable by his Majesty's subjects on the importation of the same from Europe into the said territories. And, in like manner, all goods and merchandize, whose importation into the United States shall not be wholly prohibited, may freely, for the purpose of commerce, be carried into the same, in the manner aforesaid, by his Majesty's subjects; and such goods and merchandize shall be subject to no higher or other duties than would be payable by the citizens of the United States on the importa-

tion of the same, in American vessels, into the Atlantic ports of the said states. And all goods not prohibited to be exported from the said territories respectively, may, in like manner, be carried out of the same by the two parties respectively, paying duty as aforesaid.

No duty of entry shall ever be levied, by either party, on peltries brought by land or inland navigation into the said territories respectively; nor shall the Indians, passing or repassing with their own proper goods and effects, of whatever Nature, pay for the same any impost or duty whatever; but goods in bales, or other large packages unusual among Indians, shall not be considered as goods belonging *bonâ fide* to Indians.

No higher or other tolls of rates of ferriage than what are or shall be payable by natives, shall be demanded on either side; and no duties shall be payable on any goods which shall merely be carried over any of the portages or carrying-places on either side, for the purpose of being immediately re-embarked and carried to some other place or places. But as by this stipulation it is only meant to secure to each party a free passage across the portages on both sides, it is agreed, that this exemption from duty shall extend only to such goods as are carried in the usual and direct road across the Portage, and are not attempted to be in any manner sold or exchanged during their passage across the same; and

proper regulations may be established to prevent the possibility of any frauds in this respect.

As this article is intended to render, in a great degree, the local advantages of each party common to both, and thereby to promote a disposition favourable to friendship and good neighbourhood, it is agreed, that the respective governments will mutually promote this amicable intercourse, by causing speedy and impartial justice to be done, and necessary protection to be extended to all who may be concerned therein.

Article IV.—Whereas it is uncertain whether the river Mississippi extends so far to the northward as to be intersected by a line to be drawn due west from the Lake of the Woods, in the manner mentioned in the treaty of peace between his Majesty and the United States; it is agreed, that measures shall be taken, in concert with his Majesty's government in America, and the government of the United States, for making a joint survey of the said river from one degree of latitude below the falls of St. Anthony, to the principal source or sources of the said river, and also of the parts adjacent thereto; and if, on the result of such survey, it should appear that the said river would not be intersected by such a line as is above-mentioned, the two parties will thereupon proceed, by amicable negotiation, to regulate the boundary line in that quarter, as well as all other points, to be adjusted between the said

parties, according to justice and mutual convenience, and in conformity to the intent of the said treaty.

ARTICLE V.—Whereas doubts have arisen what river was truly intended under the name of the river St. Croix, mentioned in the said treaty of peace, and forming a part of the boundary therein described, that question shall be referred to the final decision of commissioners, to be appointed in the following manner, viz.

One Commissioner shall be named by his Majesty, and one by the president of the United States, by and with the advice and consent of the senate thereof, and the said two commissioners shall agree on the choice of a third; or, if they cannot so agree, they shall each propose one person; and of the two names so proposed, one shall be drawn by lot in the presence of the two original commissioners: and the three commissioners so appointed shall be sworn impartially to examine and decide the said question according to such evidence as shall respectively be laid before them on the part of the British Government and of the United States. The said commissioners shall meet at Halifax, and shall have power to adjourn to such other place or places as they shall think fit. They shall have power to appoint a secretary, and to employ such surveyors or other persons as they shall judge necessary. The said commissioners shall, by a decla-

ration under their hands and seals, decide what river is the river St. Croix intended by the treaty. The said declaration shall contain a description of the said river, and shall particularise the latitude and longitude of its mouth and of its source. Duplicates of this declaration, and of the statements of their accounts, and of the journal of their proceedings, shall be delivered by them to the agent of his Majesty, and to the agent of the United States, who may be respectively appointed and authorized to manage the business on behalf of the respective governments: and both parties agree to consider such decision as final and conclusive, so as that the same shall never thereafter be called into question, or made the subject of dispute or difference between them.

Article VI. Whereas it is alledged, by divers British merchants, and others his Majesty's subjects, that debts to a considerable amount, which were bonâ fide contracted before the peace, still remain owing to them by citizens or inhabitants of the United States, and that, by the operation of various lawful impediments since the peace, not only the full recovery of the said debts has been delayed, but also the value and security thereof have been, in several instances, impaired and lessened, so that, by the ordinary course of judicial proceedings, the British creditors cannot now obtain, and actually have and receive full and adequate compensation

for the losses and damages which they have hereby sustained; it is agreed, that in all such cases where full compensation for such losses and damages cannot, for whatever reason, be actually obtained, had and received by the said creditors in the ordinary course of justice, the United States will make full and complete compensation for the same to the said creditors: but it is as distinctly understood that this provision is to extend to the losses only as have been occasioned by such lawful impediments aforesaid, and is not to extend to losses occasioned by such insolvency of the debtors, or other causes, as would equally have operated to produce such loss if the said impediments had not existed, nor to such losses or damages as have been occasioned by the manifest delay or negligence, or wilful omission, of the claimant.

For the purpose of ascertaining the amount of any such losses and damages, five commissioners shall be appointed, and authorized to meet and act in manner following, viz. Two of them shall be appointed by his Majesty, two of them by the president of the United States, by and with the advice and consent of the senate thereof, and the fifth by the unanimous voice of the other four; and if they should not agree in such choice, then the commissioners named by the two parties shall respectively propose one person, and of the two names so proposed one shall be drawn by lot in the presence of the four original commissioners.

When the five commissioners thus appointed shall first meet, they shall, before they proceed to act respectively, take the following oath or affirmation, in the presence of each other, which oath or affirmation being so taken and duly attested, shall be entered on the record of their proceedings, viz. "I, A. B. one of the commissioners appointed in pursuance of the sixth article of the treaty of amity, commerce, and navigation, between his Britannic Majesty and the United States of America, do solemnly swear and affirm, that I will honestly, diligently, impartially, and carefully examine, and, to the best of my judgment, according to justice and equity, decide all such complaints as under the said article shall be preferred to the said commissioners; and that I will forbear to act as a commissioner in any case in which I may be personally interested."

Three of the said commissioners shall constitute a board, and shall have power to do any act appertaining to the said commission, provided that one of the commissioners named on each side, and the fifth commissioner, shall be present; and all decisions shall be made by the majority of the voices of the commissioners then present. Eighteen months from the day on which the said commissioners shall form a board, and be ready to proceed to business, are assigned for receiving complaints and applications; but they are nevertheless authorized in

any particular cases, in which it shall appear to them to be reasonable and just, to extend the said term of eighteen months, for any term not exceeding six months, after the expiration thereof. The said commissioners shall first meet at Philadelphia; but they shall have power to adjourn from place to place as they shall see cause.

The said commissioners, in examining the complaints and applications so preferred to them, are empowered and required, in pursuance of the true intent and meaning of this article, to take into their consideration all claims, whether of principle or interest, or balances of principal and interest, and to determine the same respectively, according to the merits of the several cases, due regard being had to all the circumstances thereof, and as equity and justice shall appear to them to require. And the said commissioners shall have power to examine all such persons as shall come before them, on oath or affirmation, touching the premises; and also to receive in evidence, according as they may think most consistent with equity and justice, all written depositions, or books, or papers, or copies, or extracts thereof, every such deposition, book or paper, or copy or extract, being duly authenticated, either according to the legal forms now respectively existing in the two countries, or in such other manner as the said commissioners shall see cause to require or allow.

The award of the said commissioners, or of any three of them as aforesaid, shall in all cases be final and conclusive, both as to the justice of the claim, and to the amount of the sum to be paid to the creditor or claimant: and the United States undertake to cause the sum so awarded to be paid in specie to such creditor or claimant without deduction; and at such time or times, and at such place or places, as shall be awarded by the said commissioners; and on condition of such releases or assignments to be given by the creditor or claimant, as by the said commissioners may be directed: provided always, that no such payment shall be fixed by the said commissioners to take place sooner than twelve months, from the day of the exchange of the ratifications of this treaty.

Article VII. Whereas complaints have been made by divers merchants and others, citizens of the United States, that, during the course of the war in which his Majesty is now engaged, they have sustained considerable losses and damage, by reason of irregular or illegal captures or condemnations of their vessels and other property, under colour of authority or commissions from his Majesty; and that, from various circumstances belonging to the said cases, adequate compensation for the losses and damages so sustained cannot now be actually obtained, had, and received by the ordinary course of judicial proceedings: it is agreed, that in all such cases where adequate compensation cannot, for

whatever reason, be now actually obtained, had and received by the said merchants and others in the ordinary course of justice, full and complete compensation for the same will be made by the British government to the said complainants. But it is distinctly understood that this provision is not to extend to such losses or damages as have been occasioned by the manifest delay or negligence, or wilful omission of the claimants.

That, for the purpose of ascertaining the amount of any such losses and damages, five commissioners shall be appointed and authorized to act in London, exactly in manner directed with respect to those mentioned in the preceding article, and after having taken the same oath or affirmation (*mutatis mutandis*) the same term of eighteen months is also assigned for the reception of claims, and they are in like manner authorized to extend the same in particular cases. They shall receive testimony, books, papers and evidence in the same latitude, and exercise the like discretion and powers respecting that subject; and shall decide the claims in question according to the merits of the several cases, and to justice, equity, and the laws of nations. The award of the said commissioners, or any such three of them as aforesaid, shall, in all cases, be final and conclusive, both as to the justice of the claim, and to the amount of the sum to be paid to the claimant; and his Britannick Majesty undertakes to cause the same to be paid to such claimant in specie, without

any deduction, in such place or places, and at such time or times, ae shall be awarded by the same commissioners, and on condition of such releases or assignments to be given by the claimants, as by the said commissioners may be directed.

And whereas certain merchants and others, his majesty's subjects, complain, that, in the course of the war, they have sustained loss and damage by reason of the capture of their vessels and merchandize taken within the limits and jurisdiction of the States, and brought into the ports of the same, or taken by vessels originally armed in ports of the said states:

It is agreed, that in all such cases, where restitution shall not have been made agreeably to the tenor of the letter from Mr. Jefferson to Mr. Hammond, dated at Philadelphia, September 5, 1793, (a copy of which is annexed to this treaty) the complaints of the parties shall be, and hereby are referred to the commissioners to be appointed by virtue of this article, who are hereby authorized and required to proceed in the like manner relative to these as to the other cases committed to them; and the United States undertake to pay to the complainants or claimants in specie, without deduction, the amount of such sums as shall be awarded to them respectively by the said commissioners, and at the times and places which in such awards shall be specified; and on condition of such releases or assignments to be given by the claimants as the said awards may be

directed. And it is further agreed, that not only the now existing cases of both descriptions, but also all such as shall exist at the time of exchanging the ratifications of this treaty, shall be considered as being within the provisions, intent and meaning of this article.

ARTICLE VIII. It is further agreed, that the commissioners mentioned in this and in the two preceding articles shall be respectively paid in such a manner as shall be agreed between the two parties; such agreement being to be settled at the time of the exchange of the ratifications of this treaty. And all other expences attending the said commissioners shall be defrayed jointly by the two parties, the same being previously ascertained and allowed by the majority of the commissioners. And in the case of death, sickness, or necessary absence, the place of every such commissioner respectively shall be supplied in the same manner as such commissioner was first appointed, and the new commissioner shall take the same oath or affirmation, and do the same duties.

ARTICLE IX. It is agreed, that British subjects, who now hold lands in the territories of the United States, and American citizens who now hold lands in the dominions of his Majesty, shall continue to hold them according to the nature and tenure of their respective states and titles therein; and may grant, sell or devise the same to whom they please, in like manner as if they were natives; and that

neither they, nor their heirs or assigns, shall, so far as may respect the said lands, and the legal remedies incident thereto, be regarded as aliens.

Article X. Neither the debts due from individuals of the one nation to individuals of the other, nor shares, nor monies, which they may have in the public funds, or in the public or private banks, shall ever, in any event of war or national differences, be sequestered or confiscated, it being unjust and impolitic that debts and engagements contracted and made by individuals having confidence in each other, and in their respective governments, should ever be destroyed or impaired by national authority, on account of national differences and discontents.

Article XI. It is agreed between his Majesty and the United States of America, that there shall be a reciprocal and entirely perfect liberty of navigation and commerce between their respective people, in the manner, under the limitations, and on the conditions specified in the following articles.

Article XII.—His Majesty consents, that it shall and may be lawful, during the time hereinafter limited, for the citizens of the United States to carry to any of his Majesty's islands and ports in the West Indies from the United States, in their own vessels, not being above the burthen of seventy tons, any goods or merchandizes, being of the growth, manufacture, or produce of the said States, which it is or may be lawful to carry to the

said islands or ports from the said States in British vessels; and that the said American vessels shall be subject there to no other or higher tonnage duties or charges than shall be payable by British vessels in the ports of the United States; and that the cargoes of the said American vessels shall be subject there to no other or higher duties or charges than shall be payable on the like articles, if imported there from the said States in British vessels.

And his Majesty also consents, that it shall be lawful for the said American citizens to purchase, load, and carry away, in their said vessels, to the United States, from the said islands and ports, all such articles, being of the growth, manufacture, or produce of the said islands, as may now by law be carried from thence to the said States in British vessels, and subject only to the same duties and charges on exportation to which British vessels and their cargoes are or shall be subject in similar circumstances.

Provided always, that the said American vessels do carry and land their cargoes in the United States only, it being expressly agreed and declared, that during the continuance of this article, the United States will prohibit and restrain the carrying any melasses, sugar, coffee, cocoa or cotton, in American vessels, either from his Majesty's islands or from the United States, to any part of the world, except the United States, reasonable sea stores excepted.

Provided also, that it shall and may be lawful, during the same period, for British vessels to import from the said islands into the United States, and to export from the United States to the said islands, all articles whatever, being of the growth, produce or manufacture of the said islands, or of the United States respectively, which now may, by the laws of the said States, be so imported and exported. And that the cargoes of the said British vessels shall be subject to no other or higher duties or charges than shall be payable on the same articles, if so imported or exported in American vessels.

It is agreed, that this article, and every matter and thing therein contained, shall continue to be in force during the continuance of the war in which his Majesty is now engaged; and also for two years from and after the signature of the preliminary or other articles of peace by which the same may be terminated.

And it is further agreed, that, at the expiration of the said term, the two contracting parties will endeavour further to regulate their commerce in this respect, according to the situation in which his Majesty may then find himself with respect to the West Indies, and with a view to such arrangements as may best conduce to the mutual advantage and extension of commerce.

And the said parties will then also renew their discussions, and endeavour to agree, whether in

any or what cases neutral vessels shall protect enemy's property; and in what cases, provisions and other articles, not generally contraband, may become such. But, in the mean time, their conduct towards each other, in these respects, shall be regulated by the articles hereinafter inserted on those subjects.

ARTICLE XIII. His Majesty consents, that the vessels belonging to the citizens of the United States of America shall be admitted and hospitably received in all the sea-ports and harbours of the British territories in the East Indies. And that the citizens of the said United States may freely carry on a trade between the said territories and the said United States in all articles, of which the importation or exportation respectively to or from the said territories shall not be entirely prohibited. Provided only, that it shall not be lawful for them, in any time of war, between the British government and any other power or state whatever, to export from the said territories, without the special permission of the British government there, any military stores or naval stores, or rice. The citizens of the United States shall pay for their vessels, when admitted into the said ports, no other or higher tonnage duty than shall be payable on British vessels when admitted into the ports of the United States. And they shall pay no other or higher duties or charges on the importation or exportation of the cargoes of the said vessels than shall be pay-

able on the same articles when imported or exported in British vessels. But it is expressly agreed, that the vessels of the United States shall not carry any of the articles exported by them from the said British territories to any port or place, except to some port or place in America, where the same shall be unladen: and such regulations shall be adopted by both parties as shall, from time to time, be found necessary to enforce the due and faithful observance of this stipulation.

It is also understood, that the permission granted by this article is not to extend to allow the vessels of the United States to carry on any part of the coasting trade of the said British territories; but vessels going with their original cargoes, or part thereof, from one port of discharge to another, are not to be considered as carrying on the coasting trade. Neither is this article to be construed to allow the citizens of the said States to settle or reside within the said territories, or to go into the interior parts thereof, without the permission of the British government established there; and if any transgression should be attempted against the regulations of the British government in this respect, the observance of the same shall and may be enforced against the citizens of America, in the same manner as against British subjects, or others transgressing the same rule. And the citizens of the United States, whenever they arrive in any port or harbour in the said territories, or if they should be

permitted, in manner aforesaid, to go to any other place therein, shall always be subject to the laws, government, and jurisdiction of whatever nature, established in such harbour, port, or place, according as the same may be: the citizens of the United States may also touch, for refreshment, at the island of St. Helena, but subject, in all respects, to such regulations as the British government may from time to time establish there.

Article XIV. There shall be between all the dominions of his Majesty in Europe, and the territories of the United States, a reciprocal and perfect liberty of commerce and navigation. The people and inhabitants of the two countries respectively, shall have liberty freely and securely, and without hindrance and molestation, to come with their ships and cargoes to the lands, countries, cities, ports, places, and rivers, within the dominions and territories aforesaid, to enter into the same, to resort there, and to remain and reside there, without any limitation of time; also to hire and possess houses and warehouses for the purposes of their commerce, and generally, the merchants and traders on each side shall enjoy the most complete protection and security for their commerce, but subject always as to what respects this article, to the laws and statutes of the two countries respectively.

Article XV. It is agreed, that no other or higher duties shall be paid by the ships or merchandize of the one party in the ports of the other,

than such as are paid by the like vessels or merchandize of all other nations. Nor shall any other or higher duty be imposed in one country on the importation of any articles, the growth, produce, or manufacture of the other, than are or shall be payable on the importation of the like articles, being of the growth, produce, or manufacture of any other foreign country. Nor shall any prohibition be imposed on the exportation or importation of any articles to or from the territories of the two parties respectively, which shall not equally extend to all other nations.

But the British government reserves to itself the right of imposing on American vessels entering into the British ports in Europe, a tonnage duty equal to that which shall be payable by British vessels in the ports of America; and also such duty as may be adequate to countervail the difference of duty now payable on the importation of European and Asiatic goods when imported into the United States in American or in British vessels.

The two parties agree to treat for the more exact equalization of the duties on the respective navigation of their subjects and the people in such manner as may be most beneficial to the two countries. The arrangements for this purpose shall be made at the same time with those mentioned at the conclusion of the twelfth article of this treaty, and are to be considered as a part thereof. In the interval, it is agreed that the United States will not impose any

new or additional tonnage duties on British vessels, nor increase the now subsisting difference between the duties payable on the importation of any articles in British or in American vessels.

ARTICLE XVI. It shall be free for the two contracting parties respectively to appoint consuls for the protection of trade, to reside in the dominions and territories aforesaid; and the said consuls shall enjoy those liberties and rights which belong to them by reason of their function. But before any consul shall act as such, he shall be in the usual forms approved and admitted by the party to whom he is sent; and it is hereby declared to be lawful and proper, that in case of illegal or improper conduct towards the laws or government, a consul may either be punished according to law, if the laws will reach the case, or be dismissed, or even sent back, the offended government assigning to the other their reasons for the same.

Either of the parties may except from the residence of consuls such particular places as such party shall judge proper to be so excepted.

ARTICLE XVII. It is agreed, that in all cases where vessels shall be captured or detained on just suspicion of having on board enemy's property, or of carrying to the enemy any of the articles which are contraband of war, the said vessel shall be brought to the nearest or most convenient port; and if any property of an enemy shall be found on board such vessel, that part only which belongs to

the enemy shall be made prize, and the vessel shall be at liberty to proceed with the remainder without any impediment. And it is agreed, that all proper measures shall be taken to prevent delay, in deciding the cases of ships or cargoes so brought in for adjudication; and in the payment or recovery of any indemnification adjudged or agreed to be paid to the masters or owner of such ships.

ARTICLE XVIII. In order to regulate what is in future to be esteemed contraband of war, it is agreed, that under the said denomination shall be comprised all arms and implements serving for the purposes of war, by land or by sea, such as cannon, muskets, mortars, petards, bombs, granadoes, carcasses, saucisses, carriages for cannon, musket rests, bandoliers, gunpowder, match, saltpetre, ball, pikes, swords, head-pieces, cuirasses, halberts, lances, javelins, horses, horse-furniture, holsters, belts, and generally, all other implements of war; as also timber for ship-building, tar or rosin, copper in sheets, sails, hemp and cordage, and generally, whatever may serve directly to the equipment of vessels, unwrought iron and fir planks only excepted; and all the above articles are hereby declared to be just objects of confiscation, whenever they are attempted to be carried to an enemy.

And whereas the difficulty of agreeing on the precise cases in which alone provisions and other articles, not generally contraband, may be regarded as such, renders it expedient to provide against

the inconveniencies and misunderstandings which might thence arise: It is further agreed, that whenever any such articles so becoming contraband according to the existing laws of nations, shall for that reason be seized, the same shall not be confiscated, but the owners thereof shall be speedily and completely indemnified; and the captors, or, in their default, the government under whose authority they act, shall pay to the masters or owners of such vessel the full value of all articles, with a reasonable mercantile profit thereon, together with the freight, and also the demurrage incident to such detension.

And whereas it frequently happens, that vessels sail for a port or place belonging to an enemy, without knowing that the same is either besieged, blockaded, or invested; it is agreed, that every vessel so circumstanced may be turned away from such port or place, but she shall not be detained, nor her cargo, if not contraband, be confiscated, unless after notice, she shall again attempt to enter: But she shall be permitted to go to any other port or place she may think proper; nor shall any vessel or goods of either party, that may be entered into such port or place before the same was besieged, blockaded, or invested by the other, and be found therein after the reduction or surrender of such place, be liable to confiscation, but shall be restored to the owners or proprietors thereof.

Article XIX. And that more abundant care

be taken for the security of the respective subjects and citizens of the contracting parties, and to prevent their suffering injuries by the men of war or privateers of either party, all commanders of ships of war and privateers, and all others the said subjects and citizens, shall forbear doing any damage to those of the other party, or committing any outrage against them; and if they act to the contrary they shall be punished, and shall also be bound in their persons and estates to make satisfaction and reparation for all damages, and the interest thereof, of whatever nature the said damages may be.

For this cause all commanders of privateers, before they receive their commissions, shall hereafter be obliged to give, before a competent judge, sufficient security by at least two responsible securities, who have no interest in the said privateer, each of whom, together with the said commander, shall be jointly and severally bound in the sum of fifteen hundred pounds sterling; or if such ship be provided with above one hundred and fifty seamen or soldiers, in the sum of three thousand pounds sterling, to satisfy all damages and injuries, which the said privateer, or officers, or men, or any of them, may do or commit during their cruize, contrary to the tenor of this treaty, or to the laws and instructions for regulating their conduct; and further, that in all cases of aggressions, the said commissions shall be revoked and annulled.

It is also agreed, that whenever a judge of the

court of admiralty of either of the parties, shall pronounce sentence against any vessel or goods or property belonging to the subjects or citizens of the other party, a formal and duly authenticated copy of all the proceedings in the cause, and of the said sentence, shall, if required, be delivered to the commanders of the said vessel without the smallest delay, he paying all legal fees and demands for the same.

Article XX. It is further agreed, that both the said contracting parties shall not only refuse to receive any pirates into any of their ports, havens, or town, or permit any of their inhabitants to receive, protect, harbour, conceal, or assist them in any manner, but will bring to condign punishment all such inhabitants as shall be guilty of such acts or offences.

And all their ships, with the goods or merchandizes taken by them, and brought into the ports of either of the said parties, shall be seized as far as they can be discovered, and shall be restored to the owners, or the factors or agents duly deputed and authorized in writing by them (proper evidence being shewn in the Court of Admiralty for proving the property) even in case such effects should have passed into other hands by sale, if it be proved that the buyers knew, or had good reason to believe or suspect that they had been piratically taken.

Article XXI. It is likewise agreed, that the subjects and citizens of the two nations shall not do

any acts of hostility or violence against each other, nor accept commissions or instructions so to act from any foreign prince or state, enemies to the other party; nor shall the enemies of one of the parties be permitted to invite, or endeavour to enlist in the military service any of the subjects or citizens of the other party; and the laws against all such offences and aggressions shall be punctually executed. And if any subject or citizen of the said parties respectively shall accept any foreign commission, or letters of marque, for arming any vessel to act as a privateer against the other party, and be taken by the other party, it is hereby declared to be lawful for the said party to treat and punish the said subject or citizen, having such commission or letters of marque, as a pirate.

ARTICLE XXII. It is expressly stipulated that neither of the contracting parties will order or authorize any acts of reprisal against the other, on complaints of injuries or damages, until the said party shall first have presented to the other a statement thereof, verified by competent proof and evidence, and demanded justice and satisfaction, and the same shall either have been refused or unreasonably delayed.

ARTICLE XXIII. The ships of war of each of the contracting parties shall, at all times, be hospitably received in the ports of the other, their officers and crews paying due respect to the laws and government of the country. The officers shall

treated with that respect which is due to the commissions which they bear; and if any insult should be offered to them by any of the inhabitants, all offenders in this respect shall be punished as disturbers of the peace and amity between the two countries. And his Majesty consents, that in case an American vessel should, by stress of weather, anger from enemies, or other misfortunes, be reduced to the necessity of seeking shelter in any of his Majesty's ports, into which such vessel could not, in ordinary cases, claim to be admitted, she shall, on manifesting that necessity to the satisfaction of the government of the place, be hospitably received and permitted to refit, and to purchase at the market price such necessaries as she may stand in need of, conformably to such orders and regulations as the government of the place, having respect to circumstances of each case, shall prescribe. She shall not be allowed to break bulk or unload her cargo, unless the same shall be *bonâ fide* necessary to her being refitted: nor shall she be permitted to sell any part of her cargo, unless so much only as may be necessary to defray her expences, and then not without the express permission of the government of the place; nor shall she be obliged to pay any duties whatever, except only on such articles as she may be permitted to sell for the purpose aforesaid.

ARTICLE XXIV. It shall not be lawful for any foreign privateers (not being subjects or citizens of

either of the said parties) who have commissions from any other prince or state in enmity with either nation, to arm their ships in the ports of either of the said parties, nor to sell what they have taken, nor in any other manner to exchange the same; nor shall they be allowed to purchase more provisions than shall be necessary for their going to the nearest port of that prince or state from whom they obtained their commissions.

Article XXV. It shall be lawful for the ships of war and privateers, belonging to the said parties respectively, to carry whithersoever they please the ships and goods taken from their enemies, without being obliged to pay any fee to the offices of the Admiralty, or to any judges whatever; nor shall the said prizes, when they arrive at and enter the ports of the said parties, be detained or seized, neither shall the searchers or other officers of those places visit such prizes (except for the purpose of preventing the carrying of any part of the cargo thereof on shore, in any manner contrary to the established laws of revenue, navigation or commerce) nor shall such officers take cognizance of the validity of such prizes; but they shall be at liberty to hoist sail, and depart as speedily as may be, and carry their said prizes to the place mentioned in their commissions or patents, which the commanders of the said ships of war or privateers shall be obliged to shew.

No shelter or refuge shall be given in their ports to such as have made a prize upon the subjects or citizens of either of the said parties; but if forced, by stress of weather, or the dangers of the sea, to enter therein, particular care shall be taken to hasten their departure, and to cause them to retire as soon as possible. Nothing in this treaty contained shall, however, be construed to operate contrary to the former and existing public treaties with other sovereigns or states: But the two parties agree, that while they continue in amity, neither of them will in future make any treaty that shall be inconsistent with this or the preceding article.

Neither of the said parties shall permit the ships or goods belonging to the subjects or citizens of the other to be taken within cannon shot of the coast, nor in any of the bays, ports or rivers of their territories, by ships of war, or others having commission from any prince, republic, or state whatever. But in case it should so happen, the party, whose territorial right shall thus have been violated, shall use his utmost endeavours to obtain from the offending party full and ample satisfaction for the vessel or vessels so taken, whether the same be vessels of war or merchant vessels.

Article XXVI. If at any time a rupture should take place (which God forbid) between his Majesty and the United States, the merchants and others of each of the two nations residing in the dominions of the other, shall have the privilege of

remaining and continuing their trade so long as they behave peaceably, and commit no offence against the laws; and in case their conduct should render them suspected, and the respective governments should think proper to order them to remove, the term of twelve months, from the publication of the order, shall be allowed them for that purpose, to remove with their families, effects and property; but this favour shall not be extended to those who shall act contrary to the established laws; and for greater certainty it is declared, that such rupture shall not be deemed to exist while negotiations for accommodating differences shall be depending, nor until the respective ambassadors or ministers, if such there shall be, shall be recalled or sent home on account of such differences, and not on account of personal misconduct, according to the nature and degrees of which both parties retain their rights, either to request the recal, or immediately to send home the ambassador or minister of the other; and that without prejudice to their mutual friendship and good understanding.

Article XXVII. It is further agreed, that his Majesty and the United States, on mutual requisitions by them respectively, or by their respective ministers, or officers authorized to make the same, will deliver up to justice all persons, who being charged with murder or forgery, committed within the jurisdiction of either, shall seek an asylum within any of the countries of the other, provided

that this shall only be done on such evidence of criminality, as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial, if the offence had there been committed. The expence of such apprehension and delivery shall be borne and defrayed by those who make the requisition, and receive the fugitive.

Article XXVIII. It is agreed that the first ten articles of this treaty shall be permanent, and that the subsequent articles, except the twelfth, shall be limited in their duration to twelve years, to be computed from the day on which the ratifications of this treaty shall be exchanged, but sub ject to this condition:—That whereas the said twelfth article will expire, by the limitation there in contained, at the end of two years from the signing the preliminary or other articles of peace which shall terminate the present war in which his Majesty is engaged; it is agreed, that proper measures shall, by concert, be taken for bringing the subject of that article into amicable treaty and discussion, so early before the expiration of the said term, as that new arrangements on that head may by that time be perfected, and ready to take place. But if it should unfortunately happen, that his Majesty and the United States should not be able to agree on such new arrangements, in that case all the articles of this treaty, except the first ten, shall then cease and expire together.

Lastly, This treaty, when the same shall have been ratified by his Majesty, and by the president of the United States, by and with the advice and consent of their senate, and the respective ratifications mutually exchanged, shall be binding and obligatory on his Majesty, and on the said states, and shall be by them respectively executed and observed with punctuality, and the most sincere regard to good faith. And whereas it will be expedient, in order the better to facilitate intercourse and obviate difficulties, that other articles be proposed and added to this treaty, which articles, from want of time and other circumstances, cannot now be perfected, it is agreed, that the said parties will, from time to time, readily treat of and concerning such articles, and will sincerely endeavour so to form them, as that they may conduce to mutual convenience, and tend to promote mutual satisfaction and friendship; and that the said articles, after having been duly ratified, shall be added to, and make a part of this treaty.

In faith whereof, we, the undersigned Ministers Plenipotentiary of his Majesty the King of Great Britain and the United States of America, have signed this present treaty, and have caused to be affixed thereto the seal of our arms.

Done at London, this Nineteenth day of November, One thousand seven hundred and ninety-four.

GRENVILLE. . . (L. S.)

JOHN JAY, . . . (L. S.)

SIR, *Philadelphia, Sept.* 5, 1793.

I AM honoured with yours of August 30. Mine of the 7th of that month assured you, that measures were taken for excluding from all further asylum in our ports vessels armed in them to cruize on nations with which we were at peace, and for the restoration of the prizes, the Lovely Lass, Prince William Henry, and the Jane, of Dublin; and that should the measures for restitution fail in their effect, the president considered it as incumbent on the United States to make compensation for the vessels.

We are bound by our treaties with three of the belligerent nations, by all the means in our power, to protect and defend their vessels and effects in our ports or waters, or on the seas near our shores, and to recover and restore the same to the right owners when taken from them. If all the means in our power are used, and fail in their effect, we are not bound by our treaties with those nations to make compensation.

Though we have no similar treaty with Great Britain, it was the opinion of the president, that we should use towards that nation the same rule, which, under this article, was to govern us with the other nations; and even to extend it to captures made on the high seas, and brought into our ports, if done by vessels which had been armed within them.

Having, for particular reasons, forbore to use all

the means in our power for the restitution of the three vessels mentioned in my letter of August 7th, the president thought it incumbent on the United States to make compensation for them. And though nothing was said in that letter of other vessels taken under like circumstances, and brought in after the 5th of June, and before the date of that letter, yet, when the same forbearance had taken place, it was and is his opinion, that compensation would be equally due.

As to prizes made under the same circumstances, and brought in after the date of that letter, the president determined, that all the means in our power should be used for their restitution. If these fail, as we should not be bound by our treaties to make compensation to the other powers in the analogous case, he did not mean to give an opinion that it ought to be done to Great Britain. But still, if any case shall arise subsequent to that date, the circumstances of which shall place them on similar ground with those before it, the president would think compensation equally incumbent on the United States.

Instructions are given to the governors of the different states, to use all the means in their power for restoring prizes of this last description found within their ports; though they will of course take measures to be informed of them, and the general government has given them the aid of the custom-house officers for this purpose, yet you will be sen-

sible of the importance of multiplying the channels of their information, as far as shall depend on yourself, or any person under your direction, in order that the governors may use the means in their power for making restitution.

Without knowledge of the capture they cannot restore it. It would always be best to give the notice to them directly; but any information which you shall be pleased to send me also at any time shall be forwarded to them as quickly as distance will permit.

Hence you will perceive, Sir, that the president contemplates restitution or compensation in the cases before the 7th of August; and after that date, restitution, if it can be effected by any means in our power: and that it will be important that you should substantiate the fact, that such prizes are in our ports or waters.

Your list of the privateers illicitly armed in our ports, is, I believe, correct.

With respect to losses by detention, waste, or spoliation, sustained by vessels taken as before-mentioned, between the dates of June 5th and August 7th, it is proposed, as a provisional measure, that the collector of the customs of the district, and the British consul, or any other person you please, shall appoint persons to establish the value of the vessel and cargo at the time of her capture, and of her arrival in the port into which she is brought, according to their value in that port. If this shall

be agreeable to you, and you will be pleased to signify it to me, with the names of the prizes understood to be of this description, instruction will be given accordingly to the collectors of the customs where the respective vessels are.

I have the honour to be, &c.

(Signed) THOMAS JEFFERSON

ADDITIONAL ARTICLE.

It is further agreed between the said contracting parties, that the operation of so much of the twelfth article of the said treaty as respects the trade, which his said Majesty thereby consents may be carried on between the United States and his islands in the West Indies, in the manner and on the terms and conditions therein specified, shall be suspended.

We therefore, by virtue of these presents, do approve and ratify the said treaty, together with the said additional article, as the same are respectively set forth in this instrument of ratification; promising and engaging our royal word, that we will faithfully and religiously perform and observe all and singular the things agreed upon in this treaty, and that we will not suffer the same to be violated by any one, as far as lies in our power. For the greater testimony and validity whereof, we have caused our great seal to be affixed to these presents, which we have signed with our royal hand.

Given at our court at St. James's, the twenty-

eighth day of October, one thousand seven hundred and ninety-five, in the thirty-fifth year of our reign. G. R.

Ratification of the United States.

George Washington, President of the United States of America,

To all and singular to whom these presents shall come, greeting.

WHEREAS a certain treaty of amity, commerce, and navigation, between the United States of America and his Britannick Majesty was concluded and signed between their plenipotentiary the honourable John Jay, chief justice of the United States, and their envoy extraordinary to his said Majesty, and the plenipotentiary of his Britannick Majesty, the Right Honourable William Windham, Baron Grenville of Wotton, one of his Majesty's privy council, and his Majesty's secretary of state for foreign affairs, at London, on the nineteenth day of November, in the year of our Lord one thousand seven hundred and ninety-four: which treaty is word for word as follows; to wit,

[Here follows the treaty.]

And whereas the senate of the United States did, by their resolution on the twenty-fourth day of June, in the year of our Lord 1795, (all the sena-

tors of the United States being then present, and two-thirds thereof concurring) " consent to and " advise the president of the United States to ratify " the treaty of amity, commerce, and navigation, " between his Britannick Majesty and the United " States of America, concluded at London the " nineteenth day of November, 1794, on condition " that there be added to the said treaty an article, " whereby it shall be agreed to suspend the opera- " tion of so much of the twelfth article as respects " the trade which his said Majesty thereby consents " may be carried on between the United States and " his islands in the West Indies, in the manner, " and on the terms and conditions therein spe- " cified."

And whereas it will satisfy, and be conformable with the said advice and consent of the senate, if there be added to the said treaty an article in the following words, that is to say,

Additional Article.

" It is further agreed between the said contract- " ing parties, that the operation of so much of the " twelfth article of the said treaty as respects the " trade which his said Majesty thereby consents may " be carried on between the United States and his " islands in the West Indies, in the manner and on " the terms and conditions therein specified, shall " be suspended."

Now, therefore, I, George Washington, president

of the United States of America, having seen and considered the treaty and additional article aforesaid, do, in pursuance of the aforesaid advice and consent of the senate of the United States of America, by these presents, ratify, accept and confirm the said treaty and the said additional article, as the same are herein before set forth.

And I do moreover hereby declare, that the said treaty and the said additional article form together one instrument, and are a treaty between the United States of America and his Britannick Majesty, made by the president of the United States, by and with the advice and consent of the senate thereof.

(*Seal.*) For the greater testimony and validity of all which, I have caused the great seal of the United States of America to be affixed to these presents, and have signed the same with my hand.

Given at the city of Philadelphia, the fourteenth day of August, in the year one thousand seven hundred and ninety-five, and of the independence of the United States of America the twentieth.

(Signed) GEO. WASHINGTON.

By the president of the United States of America.

(Signed) EDM. RANDOLPH,
Secretary of State for the United States of America.

HIS MAJESTY'S FULL POWER.

GEORGE R.

GEORGE the Third, by the grace of God, king of Great Britain, France and Ireland, defender of the faith, duke of Brunswick and Lunenburg, arch-treasurer and prince elector of the holy Roman empire, &c. To all to whom these presents shall come, greeting. Whereas, for the perfecting, confirming and rendering perpetual the peace, friendship and good understanding between us and our good friends the United States of America, for adjusting and terminating all subsisting differences and disputes, from whatever cause the same may have arisen between us and the said United States, or between our subjects and the people or inhabitants of the said States; for removing the grounds of future dissentions, and for promoting and extending the mutual intercourse of trade and commerce between our dominions and the territories of the said United States, we have thought proper to invest some fit person with full powers on our part to confer, treat, and conclude with John Jay, esquire, the envoy extraordinary of the said United States, to our court, now residing at our said court, and duly authorized in that behalf on the part of the said United States. Now know ye, that we, reposing especial trust and confidence in the wisdom, loyalty, diligence and circumspection of our right trusty and well-beloved counsellor William Windham,

Baron Grenville of Wotton, and our principal secretary of state for foreign affairs, have nominated, constituted and appointed, and by these presents do nominate, constitute and appoint him our true, certain and undoubted commissioner, procurator and plenipotentiary: Giving and granting to him all and all manner of faculty, power and authority, together with general as well as special orders (so as the general do not derogate from the special, nor on the contrary) for us and in our name to meet, confer, treat and conclude with the said minister, furnished with sufficient powers on the part of our said good friends the United States of America, of and concerning all such matters and things as may be requisite and necessary for accomplishing and compleating the several ends and purposes herein before mentioned; and also for us and in our name to sign such treaty or treaties, convention or conventions, or other instruments whatsoever, as may be agreed upon in the premises, and mutually to deliver and receive the same in exchange; and to do and perform all such other acts, matters and things as may be any ways proper and conducive to the purposes above-mentioned, in as full and ample form and manner, and with the like validity and effect as we ourself, if we were present, could do and perform the same; engaging and promising on our royal word, that we will accept, ratify and confirm, in the most effectual manner, all such acts, matters and things, as shall be so transacted and

concluded by our aforesaid commissioner, procurator and plenipotentiary, and that we will never suffer any person to violate the same, in the whole or in part, or to act contrary thereto.

In testimony and confirmation of all which, we have caused our great seal of Great Britain to be affixed to these presents, signed with our royal hand.

Given at our palace at St. James's, the seventeenth day of November, in the year of our Lord one thousand seven hundred and ninety-four, and in the thirty-fifth year of our reign.

FULL POWER OF THE UNITED STATES.

GEORGE WASHINGTON, *President of the United States of America.*

To all and singular whom these presents shall concern, greeting, Know ye, that, for the purpose of confirming between the United States of America and his Britannic Majesty, perfect harmony and a good correspondence, and of removing all grounds of dissatisfaction, and from a special trust and confidence in the integrity, prudence and abilities of John Jay, chief justice of the United States, I have nominated, and, by and with the advice and consent of the senate, appointed the said John Jay, envoy extraordinary of the United States to his Britannic Majesty, hereby giving and granting to

him full and all manner of power and authority, as also a general and special command, at the court of his said Majesty, for and in the name of the United States, to meet and confer with the ministers, commissioners or deputies of his said Majesty, being furnished with sufficient authority, whether singly and separately, or collectively and jointly, and with them to agree, treat, consult and negotiate of and concerning all matters and causes of difference subsisting between the United States and his said Majesty, whether the same respect the inexecution or infraction of the armistice declaring a cessation of hostilities between the United States of America and his Britannic Majesty, at Versailles, on the 20th day of January, 1783, or the definitive treaty of peace made between the United States and his said Majesty on the 3d day of September, 1783, or the instructions of his said Majesty to his ships of war and privateers, of whatsoever date, but especially on the 39th of June, 1793, the 6th of November, 1793, and the 8th of January, 1794; or restitution or compensation in the cases of capture or seizure made of the property of the citizens of the United States by the said ships of war and privateers, or retribution for the injuries received therefrom by any citizen of the United States: and also of and concerning the general commerce between the United States and the kingdoms and dominions of his Britannic Majesty, wheresoever they may be; and to conclude or sign a treaty or treaties, conven-

tion or conventions, touching the premises; transmitting the same to the President of the United States of America for his final ratification, by and with the advice and consent of the Senate of the United States.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed. Given under my hand, at the city of Philadelphia, this sixth day of May, one thousand seven hundred and ninety-four, and of the independence of the United States of America the eighteenth.

(L. S.) (Signed) GEO. WASHINGTON.

By the President of the United States of America,

(Signed) EDM. RANDOLPH,
Secretary of State.

NOTE.—The undersigned Henry Richard Vassal, lord Holland, and William, lord Auckland, plenipotentiaries of his Britannic Majesty, have the honour to inform James Monroe and William Pinkney, commissioners extraordinary and plenipotentiaries of the United States of America, that they are now ready to proceed to the signature of the treaty of amity, commerce, navigation, on the articles of which they have mutually agreed. But at the same time they have it in command from his majesty, to call the attention of the commissioners of the United States, to some extraordinary proceed-

ings which have lately taken place on the continent of Europe, and to communicate to them officially the sentiments of his majesty's government thereupon. The proceedings alluded to, are certain declarations and orders of the French government, issued at Berlin, on the 21st of November last. In those orders the French government seeks to justify or palliate its own unjust pretensions, by imputing to Great Britain principles which she never professed, and practices which never existed. His majesty is accused of a sytematic and general disregard of the law of nations, recognized by civilized states, and more particularly of an unwarrantable extension of the right of blockade; whereas his majesty may confidently appeal to the world, on his uniform respect for neutral rights, and his general and scrupulous adherence to the law of nations, without condescending to contrast his conduct in these particulars, with that of his enemy; and with regard to the only specific charge, it is notorious, that he has near declared any ports to be in a state of blockade, without alloting to that object a force sufficient to make the entrance into them manifestly dangerous. By such allegations, unfounded as they are, the enemy attempts to justify his pretensions of confiscating, as lawful prize, all produce of English industry or manufacture, though it be the property of neutrals; of excluding from his harbours every neutral vessel which has touched at any port of his majesty's dominions though employed in an inno-

cent commerce ; and of declaring Great Britain to be in a state of blockade, though his own ports and arsenals are actually blockaded, and he is unable to station any naval force whatever before any port of he United Kingdom. Such principles are in themselves extravagant, and repugnant to the law of nations ; and the pretensions founded on them, though professedly directed solely against Great Britain, tend to alter the practice of war among civilized nations, and utterly to subvert the rights and independence of neutral powers. The undersigned cannot therefore believe that the enemy will ever seriously attempt to enforce such a system. If he should, they are confident that the good sense of the American government will perceive the fatal consequences of such pretensions to neutral commerce, and that its spirit and regard to national honour, will prevent its acquiescence in such palpable violations of rights, and injurious encroachments on its interests.---If, however, the enemy should carry these threats into execution, and if neutral nations should, contrary to all expectation acquiesce in such usurpations, his Majesty might probably be compelled, however reluctantly, to retaliate in his own just defence, and to issue orders to his cruizers to adopt towards the neutrals any hostile system to which those neutrals shall have submitted from his enemies. The commissioners of the United States will therefore feel,

that at a moment when his majesty and all the neutral nations are threatened with such an extension of the belligerent pretensions of his enemies, he cannot enter into the stipulations of the present treaty without an explanation from the United States of their intentions, or a reservation on the part of his majesty in the case above mentioned, if it ever should occur. The undersigned, considering that the distance of the American government, renders any immediate explanation on the subject impossible, and animated by a desire of forwarding the beneficial work in which they are engaged, are authorized by his majesty to conclude the treaty without delay. They proceed to the signature under the full persuasion that before the treaty shall be returned from America, with the ratification of the United States, the enemy will either have formally abandoned, or tacitly relinquished, his unjust pretensions, or that the government of the United States by its conduct or assurances, will have given security to his Majesty, that it will not submit to such innovations in the established system of maritime law; and the undersigned have presented this note from an anxious wish, that it should be clearly understood on both sides, that without such abandonment of his pretensions, on the part of the enemy, or such assurances or such conduct on the part of the United States his Majesty will not consider himself bound by the present signature of his commissioners to ratify the treaty,

or precluded from adopting such measures as may seem necessary for counteracting the designs of his enemy whenever they shall occur, and be of such an extraordinary nature as to require extraordinary remedies. The undersigned cannot conclude, without expressing their satisfaction at the prospect of accomplishing an object so important to the interests and friendly connections of both nations, and their just sense of the conciliatory disposition manifested by the commissioners of the United States during the whole course of the negotiations.

(Signed) VASSAL HOLLAND.
AUCKLAND.

James Monroe, &c.
William Pinkney, &c.

Dec. 31, 1806.

The following are the Articles of the NEW TREATY, *which differ from the Treaty concluded by* Mr. JAY, *in* 1791.

The first article, like the first of that concluded on the 19th of November, 1794, by Mr. Jay, is merely formal; and the second confirms the first ten articles of the old treaty.

The third article of the new treaty provides for and regulates commerce between the United States and the British East Indies, in the same terms as the 13th article of the old treaty, except that the

words " and sailing direct from the ports of the said States," are inserted in the first clause, which now runs thus :—" His Majesty consents that the vessels belonging to the citizens of the United States of America, and sailing direct from ports of the said States, shall be admitted and hospitably received in all the sea-ports and harbours of the British territories in the East Indies," &c.

The fifth article of the new treaty is the same as the fifteenth of the old one (regulating the duties on ships and merchandize), with two exceptions: the first reserves to the United States the right previously reserved to Great Britain, of imposing a tonnage duty equal to what shall be imposed by the other party. The second is made by substituting a new clause for the reservation formerly made by Great Britain, of the right of imposing on American vessels entering into the British ports in Europe, such duty as may be adequate to countervail the difference of duty now payable on the importation of European and Asiatic goods, when imported into the United States in British or in American vessels. Instead of this, the following words make part of the new article :—" And in the trade of the two nations with each other, the same duties on the exportation or importation of goods or merchandize shall be imposed, and the same drawbacks and bounties allowed in either country, whether the exportation or importation shall be in British or American vessels."

The sixth article states, that the parties cannot agree about the American trade to the West Indies, but that "while they will attempt an amicable agreement, both may exercise their existing rights."

The ninth is the same as the old, respecting contraband, only that tar and pitch are excepted from the catalogue, unless when going to a place of naval equipment.

By the eleventh article, citizens of the United States may carry European goods to the colonies of enemies of Great Britain (from the ports of the United States), provided that both vessel and cargo be *bonâ fide* American property; that the goods shall have been unladen within the United States; and that (in addition to that part of the duty already reserved from the drawback on exportation) the further sum of one per cent. *ad valorem* on such goods shall be paid. They may also export from the United States to Europe, the produce of colonies of the enemies of Great Britain, provided they, being neutral property, shall have been unladen as before, and that two per cent. *ad valorem*, be paid on exportation, in addition to what is reserved on the drawback. After the expiration of the treaty, all antecedent rights on these subjects are to revive.

The twelfth article extends to ships of Great Britain, and to all nations who shall adopt the same regulation, the protection of neutrality from a marine league of five miles from the American shore.

The twenty-second is a new article respecting shipwrecks, and promising humane treatment.

The twenty-third secures to each the rights of the most favoured nation, and declares, that " all treaties hereafter made by either with any nation, shall *ipso facto* be extended in all their favourable operations to the other."

The twenty-fourth article engages to join in abolishing the slave trade.

The twenty-sixth limits the duration of the treaty to ten years, from the exchange of ratifications.

Copy of a Letter from Mr. MERRY, *late Minister from the Court of Great Britain to the United States, received from him by a Gentleman at New York.*

" *Clarges Street, August* 11, 1807.

" I have been favoured with your letter, to which I have deferred replying, in the daily expectation that some official accounts from America, would have enabled his Majesty's Government to have determined on the line of conduct that it may ultimately appear expedient to pursue, in the critical state of our relations with that country. For a definition of the manner in which the question stands at this moment, and will remain until official information be received respecting the pretensions of the American Government towards an adjust-

ment of the complaint on their part, occasioned by the affair between his Majesty's ship Leopard and the Chesapeak frigate, I cannot do better than refer you to the explanation given last night by Mr. Canning, in the House of Commons.

" To that statement, however, it may be satisfactory I should add, that as Government have, in their explanation with the American minister here, disavowed the principle upon which Admiral Berkeley has acted, and recalled him, in consequence of the orders he issued, there is great room to hope that this affair will be settled in an amicable way."

THE END.

T. Gillet, Printer, Wild Court.

IMPROVED AND ENLARGED

LONDON CALENDAR,

FOR 1808.

This day is published, price, bound single, 4*s.*; with an Almanack, 6*s.*; and Companion, 8*s.* 6*d.*; and Arms (including the Abstract of the Peerage), 14*s.*; or with the East India Calendar added to all the preceding, and handsomely bound in red calf, 1*l.* 4*s.*—This last being the most complete that has ever been published.

The LONDON CALENDAR; or, COURT and CITY REGISTER, for all parts of the World, for the Year 1808.

Cobbett against Himself.

Suo sibi gladio hunc jugulo——

Which, as there are those who object to the use of the learned languages, is thus translated:

I kill this man with his own sword.

MUCH has, of late, been said and written of the consistency of the political sentiments of MR. COBBETT, both by himself, his friends and his adversaries.

The Publisher dares not venture to give his own private opinion upon a topic of *such vital moment to the country, as Mr. Cobbett's consistency!!!* but he has no objection to aver, that the following Prospectus (Proposal it should have been in plain English) is replete with sound, loyal, and constitutional doctrine: which had the greater weight with him, as the whole not only professed, but appeared, to be the rational effect of long and dear bought experience.

He humbly hopes that neither Mr. (for he will not follow the recent examples in the Political Register, whenever occasion has been to name the most illustrious statesman that ever graced any country) Cobbett, nor any one who has erred, and, upon seeing his error, subscribed so admirable, praiseworthy, and forcible a recantation, will again relapse into his pristine state of self-convicted, no longer ignorant, vice.

In case any reader

Knowing the thing tho' rich, may not be rare,
Should wonder how, the devil it came there—

the Publisher will frankly confess to him, that he considered it too small for separate sale, too valuable to be sunk in oblivion;

vion ;* and, therefore, that he placed it, in its present situation, as "The British Treaty" was the first pamphlet he expected to publish after the idea suggested itself to his mind ; and as it was the product of that soil which first taught Mr. Cobbett to value loyalty and the advantages of his native country. From the known spirit of the editor of "Cobbett's Political Register," he has a reasonable expectation that he will re-print it, for the gratification of his purchasers, in an early number of that work.

No. 41, *Pall Mall,*
6th Dec. 1807.

PROSPECTUS of a DAILY PAPER, called THE PORCUPINE.

HAVING, in America, *witnessed the fatal effects of revolution*, having seen piety give place to a contempt of religion, plain-dealing exchanged for shuffling and fraud, universal confidence for universal suspicion and distrust; having seen a country, once the seat of peace and good neighbourhood, torn to pieces by faction, plunged, by intriguing demagogues, into never-ceasing hatred and strife: having seen a people, once too fond of what they called liberty to bear the gentle sway of a British King, humbly bend their necks to the yoke, nay,

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* A story is abroad that Mr. Cobbett, having published a very severe attack on Mr. Sheridan, whom he styled The Political Proteus, and afterwards finding it agreeable to praise that eloquent senator, that he destroyed all the remaining copies of that work. If the same means were resorted to in the case of this Prospectus, the Publisher must be permitted to felicitate himself in having met with that solitary impression which is now likely to acquire permanent honour by his means.

to the very foot, of a set of grovelling despots; having, in short, seen *the crime of rebellion against monarchy* punished by the tormenting, the degrading curse of republicanism; it is with the utmost astonishment and indignation that I find many of those, *who have the press at their command,* endeavouring to bring down on my native country the very same species of calamity and disgrace. Notwithstanding the example of America, and the more dreadful example of France, I find the emissaries of the Republican Faction (*for such it really is)* still preaching fanaticism and infidelity, still *bawling for that change which they have the audacity to denominate reform,* still exerting all their nefarious ingenuity in sapping the foundation of the Church and the Throne. Those who want experience of the consequences, may, for aught I know, be excused for conniving at these attempts; but, FOR ME, who have seen acts, passed by a republican legislature, more fraudulent than forgery or coining; FOR ME, who have seen republican officers of state offering their country for sale for a few thousands of dollars; FOR ME, who have seen republican judges become felons, and felons become republican judges; FOR ME to fold my hands and tamely listen to the insolent eulogists of republican governments and rulers, would be a shameful abandonment of principle, a dastardly desertion of duty. With these sentiments, then, I resume the publication of a Daily Paper, duly apprized, by past experience, of the hostility I shall excite, and firmly resolved to repel it by all the honourable means in my power.

THE PORCUPINE will, of course, embrace all the usual topics of a Newspaper: Parliamentary and Law Reports, Court, City, and Country News, &c.—An early and correct account of those foreign events, which may be considered as *news,* is a thing so much in the beaten track, and so indispensably necessary, that any specific promise on that head would be superfluous; but it may not be amiss to mention, that

that, to faithful translations from foreign journals, I shall endeavour to add such a commentary as will prevent my paper from being (what too many others are) a mere vehicle for those articles, which are fabricated on the Continents of Europe and America, for the sole purpose of deceiving the too credulous people of this kingdom. The intrigues of the French, the servile, the insidious, the insinuating French, shall be an object of my constant attention. Whether at war or at peace with us, they still dread the power, envy the happiness, and thirst for the ruin of England. Collectively and individually, the whole and every one of them hate us. Had they the means, they would exterminate us to the last man; they would snatch the crutch from our parents, the cradle from our children, and our happy country itself would they sink beneath those waves, on which they now flee from the thunder of our cannon. When we shall sheath the sword it is for our Sovereign to say; but, while we retain one drop of true British blood in our veins, we never shall shake hands with this perfidious and sanguinary race, much less shall we make a compromise with their monkey-like manners and tiger-like principles.

In my endeavours to detect and expose *home bred* falsehoods and misrepresentations, I do not propose to confine myself to the diurnal and weekly prints; for, though they are certainly a most copious source of mischief, it is probable that more lasting evil is produced by monthly and occasional productions, which are, comparatively speaking, cheaper than newspapers, more conveniently referred to, and much more easily preserved. Without therefore attempting to usurp the critic's chair, which I have neither the capacity nor the leisure to fill, I shall point out to my readers the injurious tendency of works, to which, otherwise, they might incautiously give their encouragement. In the discharge of this, as of every other part of my duty, I shall, I trust, be guided by justice; but

but I shall assuredly pay much less regard to the feelings and interests of fanatical and factious booksellers than to the cause of RELIGION AND LOYALTY.

I shall stand in great need of, and, I hope, I shall receive, voluntary assistance, in every department of my Paper, but more particularly in that which will treat of the artful manœuvres of the factious in the country towns, and in the villages. *The unperverted sense of the people is so decided in favour of the established order of things, that the contrivers of innovation are never formidable, except where their real views are unperceived.* It is their hypocritical cant, their clandestine intrigues in the numerous societies and institutions into which they imperceptibly worm themselves; it is their visor, and not their visage, that we have to fear. On this topic, therefore, I thus early solicit information from every part of the United Kingdom, being well assured, that, if the malecontents have sometimes succeeded in exciting a spirit of opposition and revolt, their success is to be solely attributed to the want of a regular, well-conducted, widely-extended system of exposure.

It is with no small mortification that I find too many of the periodical publications (as well pamphlets as papers) in the hands of Fanatics and Infidels, all of whom, however numerous their mongrel sects, however opposite their tenets, however hateful their persons to each other, do most cordially unite in their enmity to the national Establishment, and most zealously co-operate for its destruction. Convinced as I am, from the experience of America, as well as from history in general, that an established Church is absolutely necessary to the existence of religion and morality; convinced also, that the Church of England, while she is an ornament, an honour, and a blessing to the nation, is the principal pillar of the Throne, I trust I never shall be base enough to decline a combat with her enemies, whether they approach me in the lank locks of the Sectary, or *the scald crop of the Jacobin.*

Having

Having thus stated what will be the principles of my Paper, it is incumbent on me to say, that those principles will always be *my own*; for, though I utterly reject that insolent maxim of disaffection, which will allow of reward to no talents but such as are exerted in the cause of rebellion; though I hold it to be the duty of men in power to employ the pen as well as the sword in defence of the government committed to their charge; yet, the peculiar circumstances under which I now come forward, demand from me an explicit and solemn assertion of my *independence*. My undertaking is my own, it was begun without the aid, without the advice, and even without the knowledge, of any person either directly or indirectly connected with the ministry: if, therefore, I hope to yield some trifling support to that ministry, it is not because I have received, or ever shall receive, any gratification at their hands; but *because I am most sincerely persuaded, that,* NEXT TO THE VIRTUES OF HIS MAJESTY, and the general loyalty of his subjects, THIS COUNTRY OWES ITS PRESERVATION *to the* WISDOM AND INTEGRITY OF MR. PITT *and his colleagues*. This persuasion shall not, however, debar either me or my correspondents from the exercise of our judgment. The Porcupine never was, in America, nor shall it ever be, in England, the blind instrument of party, the trumpet of indiscriminate applause. The wisest men may sometimes commit errors, which the most ignorant may perceive: I shall, therefore, feel no restraint BUT THAT OF DECENCY and candour: trusting, from the wise, to a liberal interpretation of my motives, and totally disregarding the displeasure of those who may be weak enough to prefer flattery to truth.

The subjects of a British King, like the sons of every provident and tender father, never know his value till they feel the want of his protection. In the days of youth and of ignorance, I was led to believe, that comfort, freedom, and virtue, were exclusively the lot of Republicans. A very short trial convinced me of my error, admonished me to repent of

my

my folly, and urged me to compensate for the injustice of the opinions I had conceived. During an eight years absence from my country, I was not an unconcerned spectator of her perils, nor did I listen, in silence, to the slanders of her enemies. Though divided from England by the ocean, though her gay fields were hidden, perhaps for ever, from my view, still her happiness and her glory were the objects of my constant solicitude; I rejoiced at her victories, and mourned her defeats; her friends were my friends, and her foes were my foes. Once more returned; once more under the safeguard of that Sovereign, who watched over me in my infancy, and the want of whose protecting arm I have so long had occasion to lament, I feel an irresistible desire to communicate to my countrymen the fruit of my experience; TO SHEW THEM THE INJURIOUS AND DEGRADING CONSEQUENCES OF DISCONTENTMENT, DISLOYALTY, AND INNOVATION; TO CONVINCE THEM, THAT THEY ARE THE FREEST, AS WELL AS THE HAPPIEST OF THE HUMAN RACE; AND, ABOVE ALL, TO WARN THEM AGAINST THE ARTS OF THOSE AMBITIOUS AND PERFIDIOUS DEMAGOGUES, WHO WOULD WILLINGLY REDUCE THEM TO A LEVEL WITH THE CHEATED SLAVES, IN THE BEARING OF WHOSE YOKE I HAVE HAD THE MORTIFICATION TO SHARE.

WM. COBBETT.

Pall Mall, 29th Sept. 1800.

Printed by T. Gillet, Wild-court, for John Joseph Stockdale, No. 41, Pall Mall.

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